

**S B**

**192**

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 192

SPONSOR Faiks

BILL TITLE Eligibility for long-term per diem.

DATE REFERRED 2-27-89

HEARING SCHEDULED 4-10-89, 4-26-89, 5-1-89

FISCAL NOTE PREPARED

SPONSOR CONTACTED ✓ Cheryl

INTERESTED PARTIES CONTACTED

~~Karla~~ ✓ Pam Stoops, 3850

✓ Rep Davis (Katharine) 4930

yes - or  
Terry  
Cramer ✓ Tam Cooke 2450

Tam Cooke

should be in  
statute. Legislature  
doesn't really have  
authority to limit  
statute through policy.

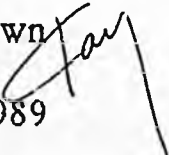
OTHER

# Kay Brown

## Alaska State Legislature House of Representatives

### MEMORANDUM

TO: Rep. Mike Davis, chairman  
Legislative Council

FROM: Rep. Kay Brown 

DATE: March 18, 1989

SUBJECT: Per Diem

Thank you for the opportunity to comment on the proposed changes in legislative per diem policy. I support your efforts to clarify and standardize the rules regarding per diem.

One suggested change reads (begins at bottom of page 2): "To qualify for interim per diem, travel per diem, or reimbursement for actual expenses for **a day**, a legislator must attend **a meeting for a legislative or public purpose**, or spend **at least four hours of that day** on legislative and constituent business." (emphasis added)

I would like to suggest an alternate approach for long-term per diem. **Legislators could report the actual hours spent at legislative or public purpose meetings and on constituent business, and be reimbursed a day of long-term per diem for every eight hours spent.** I believe this would be fairer and cheaper for the state in the long run. Why give someone a day of per diem when they only work four hours on constituent business, or attend a one-hour meeting?

Keeping track of hours and claiming a day of per diem for eight hours of work is the approach I followed last interim in claiming long term per diem for meeting attendance, although I did not claim per diem for most of the time I spent on constituent business. Because I held a part-time private job during the interim, I seldom spent more than two or three hours a day on legislative business, although I did work a significant number of hours. Under your proposal, I would not have been compensated for many of the hours I worked.

Thank you for your consideration.

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(907) 272-0207

During Session:  
P. O. Box V  
Juneau, AK 99811  
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# ALASKA STATE LEGISLATURE

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907-561-7616



While in Juneau:  
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907-465-4958

Senator Rick Halford

March 21, 1989

Representative Mike Davis  
Chairman, Legislative Council  
P.O. Box V  
Juneau, Alaska 99811

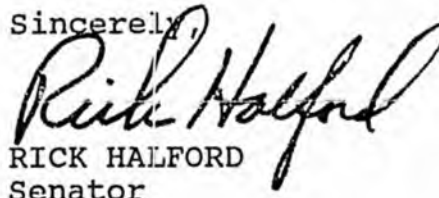
Dear Representative Davis:

Your letter of March 17, 1989, noted that Legislative Council would consider changes to the legislative per diem policy at its next meeting. Included were proposed amendments to the current policy and you invited members to comment on this important issue.

The proposed changes included with your letter represent a reasonable interpretation of what the current policy should be with respect to per diem. It is sad that this type of formal action is made necessary by the abuses of a few. I would suggest that Legislative Council request repayment from those abusing the system this past year.

Thank you for inviting comments and suggestions. I trust the Council will give serious consideration to this request thereby helping to restore a measure of confidence and trust between the people and their elected representatives.

Sincerely,

  
RICK HALFORD  
Senator

# ALASKA STATE LEGISLATURE



SENATE STATE AFFAIRS,  
CHAIR

ETHICS COMMITTEE,  
CHAIR

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STATE CAPITOL  
JUNEAU, AK 99811  
(907) 465-3712

Senator Pat Pourchot

TO: Representative Mike Davis  
FROM: Senator Pat Pourchot *Pat*  
DATE: March 21, 1989  
RE: Draft Per Diem Rule Changes

Thanks for the opportunity to review the proposed amendments to the current per diem policy. I believe that it is a good start on needed reform to the current practice.

One issue needing further clarification is the reimbursement criteria which is located at pages 2 and 3 of the enclosure with your March 17 memorandum. You have lumped interim and travel per diem together and this could cause some conflicts and differences. For example, it is now common to fly to a town the night prior to the meeting in order to attend the meeting the next morning. I interpret the new rule to mean that two hours of travel time and no work or meetings the night prior to the meeting would not qualify for per diem. This may be desired, but it is not current practice.

I also have problems with claiming interim per diem for constituent work. This doesn't seem consistent with my understanding of the original purpose of interim per diem, but it is clearly a policy call.

# Alaska State Legislature

Chairman  
(907) 465-4523



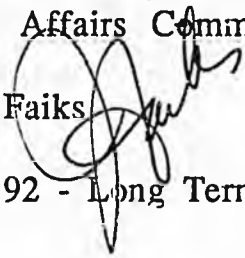
Jan Faiks  
Post Office Box V  
Juneau, Alaska 99811

## Senate Judiciary Committee

March 30, 1989

### MEMORANDUM

TO: Senator Pat Pourchot, Chairman  
Senate State Affairs Committee

FROM: Senator Jan Faiks 

SUBJECT: Senate Bill 192 - Long Term Per Diem

I want to provide you with some of the background information I pulled together while working on legislation which would change the basis for paying long term per diem to legislators during the interim.

For your reference, the following is attached:

- A list of interim payments paid in all 50 states as reported in "The Book of States 1988 - 89";
- From this list, my staff contacted four of the states which pay legislators during the interim. The results of those states are noted;
- AS 37.13.090 which provides compensation for Permanent Fund Corporation Board members; and
- AS 42.40.050 which provides compensation for Alaska Railroad Board of Directors.

If I can provide the committee with any further information, please just let me know.

#### Members

Mike Szymanski, Vice-Chairman • Rick Halford • Drue Pearce • Pat Rodey

#### Out of Session

3111 C Street, Anchorage, Alaska 99503 • (907) 561-7610

Table 3.9  
LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS

Compensation for committee or official business during interim				
State	Per diem compensation for committee or official business	Travel allowance (cents per mile)	Per diem living expenses	Other direct payments or services to legislators
Alabama	\$10	10(a)	\$1,900 total (U)	\$4,000 annual allowance during session (U)
Alaska	\$30-35(b)	25	...	...
Arizona	...	21	\$40 (\$15 for those living inside Maricopa County, location of capital) (U)	...
Arkansas	\$40	21	...	\$483/m for home office expenses (V)
California	...	60	\$82 (U)	...
Colorado	\$75	20 (24 for 4-wheel drive)	Actual and necessary (V)	...
Connecticut	...	21	...	(d)
Delaware	...	20	...	(d)
Florida	...	20	\$12/q for lodging and meals or actual cost of lodging and 13/breakfast, \$6/lunch, \$12/dinner (V)	...
Georgia	...	21	\$39	\$4,800/y expense allowance (V)
Hawaii	...	...	\$10 on island; 50 near-island travel; \$100 out-of-state	...
Idaho	\$30(d)	...	Actual expenses (V)	...
Illinois	...	21	(f)	Senators receive \$41,000/y, representatives receive \$31,000/y as district office allowance (d) (V)
Indiana	\$80	25	\$30 (U)	...
Iowa	\$40(g)	21	Actual lodging expense; 13/breakfast; \$3/lunch; \$8/dinner (Home); \$30 meals (Senates) (V)	...
Kansas	\$35	20.5	\$46 (U)	\$600/m April through December to defray expenses (U)
Kentucky	\$100	21	Actual (V)	\$950/m interim expense allowance; \$50/session stationary allowance
Louisiana	\$75	21	...	\$125/m allowance to cover car, utilities and/or expenses for a district office (U); \$1,000 annual turnover and equipment allowance, plus \$250 (non-permanent repair) for legislators who have served one or more four-year terms (U); \$1,047/m (average) salary for legislative assistants (U)
Maine	\$55	22	\$26 for meals (V); actual expenses for lodging (V)	\$300 constituency service allowance provided at beginning of session (U)
Maryland	...	19	\$78 for lodging and meals (V) (i)	In-district travel allowance, \$200 (U); also interim funds for staff and equipment for district offices

LEGISLATURES

LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS—Continued

Compensation for committee or official business during interim				
State	Per diem compensation for committee or official business	Travel allowance (cents per mile)	Per diem living expenses	Other direct payments or services to legislators
Massachusetts	Included in expense allowance	Included in expense allowance	Amount for mileage, ranges from \$5 to \$50 depending on distance legislator's district is from state capital	\$2,400/y general expense allowance
Michigan	...	...	...	...
Minnesota	\$48	15	\$45/ for lodging (Home) (V)	\$400/y for telephone credit card (V) and postage allowance of \$383 (U); senators \$300 apartment allowance; Committee Chair, \$400/m apartment allowance (V)
Mississippi	\$40	20	\$75 (U)	\$300/m during interim
Missouri	...	20.5	Lodging and meals (V)	Representatives receive \$400/m for office expenses (V), and \$2,000-y mailing account (V)
Montana	\$52.13	22	\$14.50 for meals and \$24.96 for lodging (V)	Health insurance \$115/m; telephone credit card (amount varies)
Nebraska	...	21	...	...
Nevada	\$130	24	\$47.50 for three meals and lodging in state (V)	\$2,800 telephone allowance/regular session, postage allowance of \$40/regular session (U)
New Hampshire	...	38 for first 41 mi.; 19 thereafter	...	...
New Jersey	...	...	...	District office rent, office supplies, and telephone, postage allowances established at beginning of session
New Mexico	\$75	25	...	...
New York	...	...	...	...
North Carolina	...	23	\$79 in state (U); \$79 (U) or \$20 for meals and actual cost of lodging for out of state	\$212 m for expenses (rises to \$265 with 1999 session) (U), postage and telephone allowance of \$415 odd numbered years and \$146 even numbered years; stationary allowance of 4,000 pages for 2 year term
North Dakota	\$62.50	20	\$15 for lodging (V), \$17 for meals	...
Ohio	...	...	...	...
Oklahoma	\$23	20.5	...	Senators office supply allowance for session \$150 (V), 1st class postage \$ route (U), telephone \$400 (U)
Oregon	...	20	\$50 (U)	\$400-500 depending on district size for interim expenses (V), \$1200 in supplies during session (U), \$2,500 staffing allowance during session (U), \$5,000 mailing allowance during interim
Pennsylvania	...	21 (Senates), 20 (House)	\$85 (V)	\$13,000 for accountable expenses (V) Senators receive \$17,000 v. representatives \$10,000 for home office expenses (V), representatives also receive \$1,000 postage allowance (V), car allowance, \$8,000

LEGISLATURES

source: Book of States 1988-89

**LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS—Continued**

Compensation for committee or official business during interim				
State	Per diem compensation for committee or official business	Travel allowance (cents per mile)	Per diem living expenses	Other direct payments or services to legislators
Iowa Island ....	...	...	...	...
North Carolina ...	\$11	21	\$73 (V)	...
North Dakota ...	\$79	20.5	\$21 (plus tax) for lodging (V); \$16 for meals (V)	...
Wisconsin .....	...	21	\$77 in-state (U); \$77 for meals and related expenses and actual cost for lodging and airfare (V)	\$325/m home office expense allowance (U)
Ohio .....	...	21(0)	\$70 (V)	...
Texas .....	\$65	21	\$21 subsistence allowance on committee days; \$40 lodging allowance if meeting is held in Salt Lake or Davis counties for legislators residing outside counties (U)	...
Connecticut .....	\$70	21	Actual expenses (U)	...
Ireland .....	\$100	21	Actual expenses (V)	\$250/m for office expenses and supplies (U)
Washington .....	\$50	21	...	\$900/q for office expenses (V)
West Virginia ...	\$50(0)	20	\$30 for meals (U); \$40 for lodging (V)	...
Nebraska .....	...	21.5	\$11 for legislators who must establish temporary residence in state capital; otherwise \$27.50 (U)	Senators receive \$75/m, representatives \$25/m for interim expenses for full calendar months in which legislators in an actual session 3 days or less
Wyoming .....	\$75	15	\$60 (V)	...
American Samoa	...	...	...	...
Virgin Islands .....	(m)	(a)	...	...
Virgin Islands ...	\$30	0	...	...

LEGISLATURES

**LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS**

Note: Compensation as of January 1, 1978. For more information on legislative compensation, see table 1.3, "Legislative Compensation: Regular and Special Sessions."

**Key:**

(U)—Unvouchered

(V)—Vouchered

d—day

m—month

y—year

(a) For 6,000 round trip per week for interim committees. For other legislative business outside state capital, 22 cents per mile.

(b) Depends on location of permanent residence.

(c) Legislators are provided a leased vehicle gasoline credit card. Actual expenses or 15 cents per mile.

(d) See Table 1.3, "Legislative Compensation: Regular and Special Sessions" for information.

(e) For each day of authorized meetings. Plus \$7/d for each day not in session.

(f) When not in session, legislators are permitted two round trips per month at \$65/d (V).

(g) Allowance may be expended for additional staff, clerical help, office rent, printing, postage, etc.

(h) \$40 for speaker.

(i) Of total amount, maximum \$28/d for meals. Legislators may claim lodging only if meetings are scheduled on consecutive days.

(j) For travel in personally-owned automobiles. For travel in personally-owned aircraft, 40 cents per highway mile in a single-engine aircraft, 63 cents per highway mile in a twin-engine aircraft, \$1.15 per highway mile in a turbo-propeller aircraft.

(k) In emergency situations, the presiding officer and the majority and minority leaders of each chamber may authorize a \$50/d lodging allowance for legislators residing in Salt Lake or Davis counties.

(l) Not to exceed \$1,500 per member or a total of \$63,000.

(m) \$72 if reside more than 50 kilometers from Capitol; otherwise \$62.

(n) 30 kilometers.

LEGISLATURES

## INTERIM COMPENSATION

### Colorado

**Salary:** \$17,500 per year  
\$70 per diem for 140 days  
\$40 per diem after 140 days

**Length of Session:** 140 days  
Annual  
Constitutional limit of 140 days on sessions in even number years

**Interim Payments:** \$75.00 for **Committee attendance**  
**Maximum allowance** of \$3,750 (50 days) except for Joint Budget, Audit Committees and legislative leadership which has a \$7,500 maximum (100 days)

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### Nevada

**Salary:** \$130 per day (no more than 60 days)

**Length of Session:** Biennial - odd year  
60 calendar days

**Interim Payments:** \$130 per day salary at **committee meetings** or meetings directed to attend by chairman;  
\$47.50 per diem for meals and lodging

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### Wyoming

**Salary:** \$75 per day

**Length of Session:** 40 days odd years  
20 days even years

**Interim Payments:** \$75 per day salary to attend committee meetings;  
\$60 per diem for meetings and for travel days

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**Washinton**

**Salary:** \$16,500 per year  
\$70 per diem vouchered

**Length of Session:** 105 calendar days in odd years  
60 calendar days in even years

**Interim Payments:** \$900 quarterly expense payment; covers in district meetings and office expenses  
\$50 per day per diem

**Sec. 37.13.060. Term of office.** The public members of the board shall be appointed for terms of four years, and they may be reappointed. The terms of the public members shall be staggered so that no more than one term of a public member expires each year. (§ 5 ch 18 SLA 1980; am § 2 ch 81 SLA 1982)

**Cross references.** — For manner of public members, see § 14, ch. 81, SLA transition to staggered four-year terms for 1982.

**Sec. 37.13.070. Removal and vacancies.** (a) The governor may remove a member of the board from office. A removal by the governor must be in writing and must state the reason for the removal. A member who is removed by the governor may not participate in board business and may not be counted for purposes of establishing a quorum after the member receives written notice of removal from the governor.

(b) A vacancy on the board shall be promptly filled by appointment by the governor. An appointee to a vacancy shall hold office for the balance of the term for which the appointee's predecessor on the board was appointed.

(c) A vacancy on the board does not impair the authority of a quorum of the board to exercise all the powers and perform all the duties of the board. (§ 5 ch 18 SLA 1980; am § 3 ch 81 SLA 1982)

**Sec. 37.13.080. Quorum.** Four members of the board constitute a quorum for the transaction of business and the exercise of the powers and duties of the board. (§ 5 ch 18 SLA 1980)

**Sec. 37.13.090. Compensation of board members.** Public members of the board receive an honorarium of \$400 for each day spent at a meeting of the board or at a meeting of a subcommittee of the board or at a public meeting as a representative of the board. Members of the board are entitled to per diem and travel allowances as provided by law for members of state boards and commissions. (§ 5 ch 18 SLA 1980; am § 4 ch 81 SLA 1982)

**Sec. 37.13.100. Corporation staff.** The board may employ and determine the salary of an executive director. The executive director may, with the approval of the board, select and employ additional staff as necessary. An employee of the corporation, including the executive director, may not be a member of the board. The executive director and the other employees of the board are in the exempt service under AS 39.25. (§ 5 ch 18 SLA 1980)

Permanent Fund  
Corporation Compensation

**Sec. 42.40.050. Compensation and expenses.** (a) An appointed member of the board is entitled to compensation at a rate of \$400 for each day the member is engaged in the actual performance of duties as a member of the board. The board may provide by rule for compensation for partial days during which an appointed member is engaged in actual performance of duties as a member of the board.

(b) In addition to compensation under (a) of this section, an appointed member of the board is entitled to per diem and travel expenses authorized by law for state boards and commissions. (§ 2 ch 153 SLA 1984)

**Sec. 42.40.060. Board officers.** (a) The board shall elect from its membership a chairman and vice-chairman and prescribe their duties by rule.

(b) The board shall appoint a secretary and prescribe the duties of the secretary. (§ 2 ch 153 SLA 1984)

#### Article 2. Management.

Section  
100. Management by the board  
110. Executive officers

Section  
120. Delegation

**Sec. 42.40.100. Management by the board.** The board is responsible for the management of the corporation but shall delegate certain powers and duties to the chief executive officer in accordance with AS 42.40.120. In managing the corporation the board shall

(1) be responsible for the management of the financial and legal obligations of the Alaska Railroad;

(2) operate the Alaska Railroad as a common carrier subject to the jurisdiction of the United States Interstate Commerce Commission consistent with 45 U.S.C. 1207;

(3) generally manage the corporation on a self-sustaining basis;

(4) apply to the legislature for an appropriation with the concurrence of the governor to be used to provide a particular service that is not otherwise self-sustaining if a subsidy is required to maintain that service;

(5) provide for safe, efficient, and economical transportation to meet the overall needs of the state;

(6) raise needed capital by issuing bonds of the corporation upon approval by the legislature while ensuring that borrowing by the corporation does not directly or indirectly endanger the state's own borrowing capacity;

(7) review all state and other land disposal proposals to aid in planning for future development or expansion of transportation services;

(8) ensure that the procurement procedures of the corporation meet accepted railroad industry standards;

Alaska Railroad  
compensation

Sander

RECEIVED MAR 21 1989

# Alaska State Legislature

Chairman  
(907) 465-4523




Jan Faiks  
Post Office Box V  
Juneau, Alaska 99811

## Senate Judiciary Committee

March 17, 1989

### MEMORANDUM

TO: Representative Mike Davis, Chairman  
Legislative Council

FROM: Senator Jan Faiks 

SUBJECT: Interim Legislative Per Diem

I appreciate learning of the Council's interest in adopting a new policy regarding per diem paid to legislators during the interim.

As you may be aware, on February 27th I introduced Senate Bill 192 which would change the system for payment of interim per diem. I want to draw the legislation to your attention because I believe it is more appropriate the issue be clearly addressed by a change in statute instead of through adoption of a policy by Legislative Council. By utilizing the committee process for review of the legislation, a mechanism for public involvement in the decision making process will also be provided.

I applaud your leadership in this area and encourage you to take it one step further so that any violation of the new standards would be a violation of law, instead of an administrative policy.

cc: All Legislators

Members  
Mike Szymanski, Vice-Chairman • Rick Halford • Drue Pearce • Pat Rodey

Out of Session  
3111 C Street, Anchorage, Alaska 99503 • (907) 561-7610

OFFICE OF THE PRESIDENT

MEMBER

TENTH ALASKA LEGISLATURE  
ELEVENTH ALASKA LEGISLATURE  
TWELFTH ALASKA LEGISLATURE  
THIRTEENTH ALASKA LEGISLATURE  
FOURTEENTH ALASKA LEGISLATURE  
FIFTEENTH ALASKA LEGISLATURE  
SIXTEENTH ALASKA LEGISLATURE



SENATOR TIM KELLY

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ANCHORAGE, ALASKA 99521  
(907) 581-7612

MEMORANDUM

To: Warren Endicott  
Executive Director  
Legislative Affairs Agency

From: Senator Kelly  
Senate President TOK

March 13, 1989

As requested in our telephone conversation this morning, I'm asking that your agency draft a strong written policy on legislators' use of per diem during the interim between sessions of the legislature. I think that the Legislative Council should adopt such a policy before this session is over.

I believe some strong written guidelines, authorized by the Legislative Council, will go a long way towards halting some of the obvious inequities that have been allowed to develop during the last few years. While some legislators have felt justified in claiming almost every available working day, others have felt unclear as to what is acceptable and authorized. We all know that each of the 60 legislators carries a workload of legislative business during the interim, and that workload should be recognized in a more equitable manner.

Your draft policy should be specific enough so that there is no confusion about what is acceptable. It should be fair in its applicability, and it should provide accountability.

Copies to:

Rep. Davis, Chairman, Legislative Council  
Sen. Pourchot, Chairman, Ethics Committee  
All Senators

# Current Policy

The section of the Administrative Services Policies and Procedures Manual entitled "Legislative Per Diem," construing AS 24.10.105 and the Policies and Procedures of the Commissioner of Administration, is repealed and readopted to read:

## LEGISLATIVE PER DIEM March 23, 1987

### I. Session per diem

Under AS 24.10.105, legislators are entitled to a per diem for each day of a legislative session. Legislators whose place of permanent residence is not Juneau are paid at the short term rate. Legislators whose place of permanent residence is Juneau are paid at the long term rate.

Legislators receive per diem in advance every two weeks starting on the first day of session. Per diem checks are delivered to the legislator's mail box in the Capitol.

### II. Interim per diem

Under AS 24.10.105, a legislator is entitled to per diem during the interim at the long-term rate while engaged in legislative business at the place of the legislator's permanent residence.

### III. Travel per diem or reimbursement

Under AS 24.10.105, when a legislator is away from Juneau on legislative business during the legislative session, the legislator is entitled to receive travel per diem for incidental transportation, food, and lodging expenses. In lieu of travel per diem, the legislator may receive meal allowances and reimbursement for the actual amount of the other expenses. However, for travel to Anchorage, Fairbanks, or Juneau reimbursement for lodging and meals may not exceed the applicable travel per diem amount. The travel per diem or reimbursement is in addition to session per diem.

A legislator on legislative business during the interim between legislative sessions is entitled to receive travel per diem or meal allowances and reimbursement for other actual expenses.

A legislator who is entitled to travel per diem shall be paid

(1) at the short-term rate while on legislative business

(A) during the interim in a place that is not the legislator's place of permanent residence; and

(B) during the session in a place that is neither Juneau nor the legislator's place of permanent residence; and

(2) at the long-term rate while on legislative business in the legislator's place of permanent residence during the session if the legislator's place of permanent residence is not Juneau.

IV. Reimbursement for actual expenses

If the legislator expects to request reimbursement for expenses in lieu of travel per diem, the president of the Senate or the speaker of the House of Representatives, as appropriate, or the designee of the president or the speaker, must approve the reimbursement in advance of the trip. The presiding officer may delegate authority to approve reimbursements to another legislator or to the executive director of the agency.

Unless requirements are changed in the State Administrative Manual, a legislator who is requesting reimbursement for actual expenses shall submit

- (1) receipts for lodging on letterhead invoice, showing the rate for single occupancy;
- (2) receipts for incidental transportation expenses if the charge for the item was more than \$10;
- (3) a statement of expenses for incidental transportation for which the charge was less than \$10 per item;
- (4) an itemized statement, initialed by the legislator, for business telephone calls;
- (5) a statement of the date and time the travel began and ended to be used in computing meal allowances;
- (6) if a statement or receipt required under (1)-(4) is not available, a written explanation of the failure to present the statement or receipt.

Unless the amounts are changed in the State Administrative Manual, a legislator seeking reimbursement for actual expenses is entitled to the following meal allowances for actual time in travel status:

Breakfast -----	\$	6.00
Lunch -----		9.00
Dinner -----		16.00

As required by the State Administrative Manual, reimbursement for lodging and meals itemized under (1) and (5) may not exceed the applicable travel per diem amount for travel to Anchorage, Fairbanks and Juneau. However, reimbursement for other itemized expenses may exceed the applicable travel per diem amount.

# Per Diem Policy Revision, Proposal #1

The Legislative per diem section of the Administrative Services Policy and Procedures Manual is amended to read:

## LEGISLATIVE PER DIEM

### Session Per Diem

Under AS 24.10.105, legislators are entitled to a per diem for each day of a legislative session. Legislators whose place of permanent residence is not Juneau are paid at the short-term rate. Legislators whose place of permanent residence is Juneau are paid at the long-term rate.

Legislators receive per diem in advance every two weeks starting on the first day of session. Per diem checks are delivered to the legislator's mail box in the Capitol.

### Interim Per Diem

Under AS 24.10.105, a legislator is entitled to per diem during the interim at the long-term rate while engaged in legislative business at the place of the legislator's permanent residence.

### Travel Per Diem or Reimbursement

Under AS 24.10.105, when a legislator is away from Juneau on legislative business during the legislative session, the legislator is entitled to receive travel per diem for incidental transportation, food, and lodging expenses. In lieu of travel per diem, the legislator may receive meal allowances and reimbursement for the actual amount of the other expenses. However, for travel to Anchorage, Fairbanks, or Juneau reimbursement may not exceed the applicable travel per diem amount. The travel per diem or reimbursement is in addition to session per diem.

A legislator on legislative business during the interim between legislative sessions is entitled to receive travel per diem or meal allowances and reimbursement for other actual expenses.

A legislator who is entitled to travel per diem shall be paid

- (1) at the short-term rate while on legislative business

- (a) during the interim in a place that is not the legislator's place of permanent residence;
  - (b) during the session in a place that is neither Juneau nor the legislator's place of permanent residence; and,
- (2) at the long-term rate while on legislative business in the legislator's place of permanent residence during the session if the legislator's place of permanent residence is not Juneau.

A legislator who is entitled to travel per diem at the short-term rate may, upon request and approval of the presiding officer, receive the lesser long-term rate.

Reimbursement for Actual Expenses

If the legislators expect to request reimbursement for expenses in lieu of travel per diem, the president of the Senate or the speaker of the House of Representatives, as appropriate, or the designee of the president or the speaker, must approve the reimbursement in advance of the trip. The presiding officer may delegate authority to approve reimbursements [TO ANOTHER LEGISLATOR OR] to the executive director of the agency.

Unless the amounts are changed in the State Administrative Manual, a legislator seeking reimbursement for actual expenses is entitled to the following meal allowances for actual time in travel status:

Breakfast -----	\$ 6.00
Lunch -----	9.00
Dinner -----	16.00

As required by the State Administrative Manual, reimbursement for lodging and meals itemized under (1) and (5) may not exceed the applicable travel per diem amount for travel to Anchorage, Fairbanks, and Juneau. However, reimbursement for other itemized expenses may exceed the applicable travel per diem amount.

Application and Eligibility for Interim Per Diem, Travel Per Diem, or Reimbursement

To qualify for interim per diem, travel per diem, or reimbursement for actual expenses for a day, a legislator must attend a meeting for a legislative or public purpose.

or spend at least four hours of that day on legislative and constituent business. Travel time required in the course of conducting legislative business qualifies as legislative business.

A legislator must request interim per diem, travel per diem, or reimbursement by submitting a signed statement describing the legislative and constituent business and amount of time spent on it, for each day requested, to the appropriate presiding officer within 30 days after the day the business was conducted. The presiding officer may approve the statement and submit it to the Legislative Affairs Agency for payment. The presiding officer may delegate the authority to approve interim per diem, travel per diem, or reimbursement requests to the executive director of the agency.

Unless requirements are changed in the State Administrative Manual, a legislator who is requesting reimbursement for actual expenses shall submit

- (1) receipts for lodging on letterhead invoice, showing the rate for single occupancy;
- (2) receipts for incidental transportation expenses if the charge for the item was more than \$10;
- (3) a statement of expenses for incidental transportation for which the charge was less than \$10 per item;
- (4) an itemized statement, initialed by the legislator, for business phone calls;
- (5) a statement of the date and time the travel began and ended to be used in computing meal allowances; and
- (6) if a statement or receipt required under (1)-(4) is not available, a written explanation of the failure to present the statement or receipt.

GU:kb  
L7/035

Per Diem Policy Revision, Proposal #2

The Legislative per diem section of the Administrative Services Policy and Procedures Manual is amended to read:

LEGISLATIVE PER DIEM

Session Per Diem

Under AS 24.10.105, legislators are entitled to a per diem for each day of a legislative session. Legislators whose place of permanent residence is not Juneau are paid at the short-term rate. Legislators whose place of permanent residence is Juneau are paid at the long-term rate.

Legislators receive per diem in advance every two weeks starting on the first day of session. Per diem checks are delivered to the legislator's mail box in the Capitol.

Interim Per Diem

Under AS 24.10.105, a legislator is entitled to per diem during the interim at the long-term rate while engaged in legislative business at the place of the legislator's permanent residence.

Travel Per Diem or Reimbursement

Under AS 24.10.105, when a legislator is away from Juneau on legislative business during the legislative session, the legislator is entitled to receive travel per diem for incidental transportation, food, and lodging expenses. In lieu of travel per diem, the legislator may receive meal allowances and reimbursement for the actual amount of the other expenses. However, for travel to Anchorage, Fairbanks, or Juneau reimbursement may not exceed the applicable travel per diem amount. The travel per diem or reimbursement is in addition to session per diem.

A legislator on legislative business during the interim between legislative sessions is entitled to receive travel per diem or meal allowances and reimbursement for other actual expenses.

A legislator who is entitled to travel per diem shall be paid

- (1) at the short-term rate while on legislative business
  - (a) during the interim in a place that is not the legislator's place of permanent residence;
  - (b) during the session in a place that is neither Juneau nor the legislator's place of permanent residence; and,
- (2) at the long-term rate while on legislative business in the legislator's place of permanent residence during the session if the legislator's place of permanent residence is not Juneau.

A legislator who is entitled to travel per diem at the short-term rate may, upon request receive the lesser long-term rate.

Reimbursement for Actual Expenses

If the legislators expect to request reimbursement for expenses in lieu of travel per diem, the president of the Senate or the speaker of the House of Representatives, as appropriate, or the designee of the president or the speaker, must approve the reimbursement in advance of the trip. The presiding officer may delegate authority to approve reimbursements [TO ANOTHER LEGISLATOR OR] to the executive director of the agency.

Unless the amounts are changed in the State Administrative Manual, a legislator seeking reimbursement for actual expenses is entitled to the following meal allowances for actual time in travel status:

Breakfast -----	\$ 6.00
Lunch -----	9.00
Dinner -----	16.00

As required by the State Administrative Manual, reimbursement for lodging and meals itemized under (1) and (5) may not exceed the applicable travel per diem amount for travel to Anchorage, Fairbanks, and Juneau. However, reimbursement for other itemized expenses may exceed the applicable travel per diem amount.

Application and Eligibility for Interim Per Diem, Travel Per Diem, or Reimbursement

To qualify for interim per diem, travel per diem, or reimbursement for actual expenses for a day, a legislator must attend a meeting for a legislative or public purpose, or spend at least four hours of that day on legislative and constituent business. Travel time required in the course of conducting legislative business qualifies as legislative business.

A legislator must request interim per diem, travel per diem, or reimbursement by submitting a signed statement describing the legislative and constituent business and amount of time spent on it, for each day requested, to the Legislative Affairs Agency within 60 days after the day the business was conducted.

Unless requirements are changed in the State Administrative Manual, a legislator who is requesting reimbursement for actual expenses shall submit

- (1) receipts for lodging on letterhead invoice, showing the rate for single occupancy;
- (2) receipts for incidental transportation expenses if the charge for the item was more than \$10;
- (3) a statement of expenses for incidental transportation for which the charge was less than \$10 per item;
- (4) an itemized statement, initialed by the legislator, for business phone calls;
- (5) a statement of the date and time the travel began and ended to be used in computing meal allowances; and
- (6) if a statement or receipt required under (1)-(4) is not available, a written explanation of the failure to present the statement or receipt.

GU:kb  
L7/035

RECEIVED MAR 8 1989

# Alaska State Legislature

Chairman  
(907) 465-4523



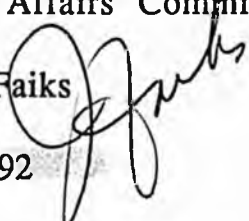
Jan Faiks  
Post Office Box V  
Juneau, Alaska 99811

## Senate Judiciary Committee

March 7, 1989

### MEMORANDUM

TO: Senator Pat Pourchot, Chairman  
Senate State Affairs Committee

FROM: Senator Jan Faiks 

SUBJECT: Senate Bill 192

As you know, Senate Bill 192 has been referred to your committee for consideration. It changes the basis for claiming legislative per diem during the interim so that it will only be paid while attending a meeting called by a chairman.

For your further consideration, I have enclosed additional language for a potential committee substitute which was provided by LAA Accounting at my request. This provision would enable a legislator to receive long term per diem while on legislative business outside her or his place of residence in addition to short term per diem or actual expenses for meals and lodging. This would be similar to the current per diem policy for travel outside of Juneau during the legislative session.

I would appreciate your scheduling the bill to come before the committee at your earliest convenience. If I can provide any additional information, please let me know.

Thank you.

Members  
Mike Szymanski, Vice-Chairman • Rick Halford • Drue Pearce • Pat Rodey

Out of Session  
3111 C Street, Anchorage, Alaska 99503 • (907) 561-7610

Changes to SB 192 as requested by Senator Faik's Office

Sec. 2. AS 24.10.105 (c) is amended to read:

(c)

(1)

(2)

(3) In addition to the per diem allowed under AS24.10.105, Sec 2.(b) (2), a legislator is entitled to receive per diem at the long term rate while on legislative business in a place that is not the legislator's place of permanent residence.

OR,

Sec. 2. AS 24.10.105 is amended to read:

(e) A legislator is entitled to receive a \$55 per day travel allowance, in addition to the per diem allowed under AS 24.10.105 Sec 2.(b) (2), while on committee business or other legislative business in a place that is not the legislator's place of permanent residence.

Legal Services should probably review to see if this is in an acceptable format. I prefer the 2nd choice because it distinguishes the Long Term Per Diem from a Travel Allowance. Just terminology, but it might help keep things separated. The travel allowance rate could be any amount you found acceptable.

Another aspect to giving legislators a travel allowance (or long term per diem payment) during the interim, at the same time they are receiving Short Term Per Diem, is that we would report the Travel Allowance (long term per diem) to the IRS.

**LEGISLATIVE AFFAIRS AGENCY  
LONG TERM PER DIEM CLAIM FORM**

P.O. Box Y  
Juneau, AK 99811

Accounting  
(907) 465-3852

**DRAFT**

I, John Green, CERTIFY that the facts herein contained and on supporting documents are correct and constitute a valid claim for long-term per diem in my home district.

John Green  
Print name of legislator

John Green 9/2/89  
Signature of legislator Date

I was on legislative or committee business in my home district as indicated below and claim \_\_\_\_\_ days of long-term per diem.

(To qualify for long term per diem a legislator must attend a meeting for a legislative or public purpose or spend at least 4 hours of that day on legislative and constituent business.)

**\*\*TO BE CLAIMED WITHIN 30 DAYS AFTER THE DAY THE BUSINESS WAS CONDUCTED\*\***

DATE	NUMBER OF HOURS	TYPE OF BUSINESS (If committee business, please specify committee name)
8/23/89	2	Mayor's Task Force on Recreation Development
	1	constituent letters and mail
	1½	meeting with Joe Smith/Sandra White regarding tourism budget
8/28/89	4	Ethics Seminar
	1	speak at Middlerock School for summer school program
	1	meet with Senator Stone on mining

*Pls send his check*

1. Per diem 2 days @ \$ 50.00 = \$100.00

Claim	Accounting
100.00	
Per Diem	Per Diem

**VDR OFFICE USE**

Collocation Code	Ledger Code	Account Code	Warrant No.	Amount
31-92-				
31-92-				
31-92-				

pouch to Anchorage LIO

Warrant Mailing Address

from Pam Stoops  
4-10-89

### LONG TERM PER DIEM

Prior to the repeal of Sec. 24.15.010 Legislative Per Diem, Legislators were eligible to receive per diem at the long term rate while engaged in committee business for an interim committee of the legislature at their place of permanent residence.

In 1981, under this definition, long term per diem claims were paid in the amount of \$13,725.

SB192 specifies that long term per diem may only be claimed for attending a meeting or subcommittee called by the chair of the committee at the legislator's place of permanent residence. This bill tightens the standard for long term per diem which would likely result in fewer days being claimed. However, the long term per diem rate has changed since 1981. If the same number of days were claimed at the \$55 rate the cost would be \$16,775.

Under the current statute, long term per diem in the amount of \$181,700 was paid in FY88. FY89 long term per diem claims from July 1 through March 16, 1989 amount to \$126,445.

1981

before salary  
went to \$39,000/yr.

SENATE

a.	2-037	39 days	39 @ 45 -	1755.00
b.	Sen. State Affairs	49 days	49 @ 45 -	2205.00
c.	Rules, Council	26 days	26 @ 45 -	1170.00
d.	Blue Ribbon, Trans, Title 4	60 days	60 @ 45 -	2700.00
e.	Budget	18 days	18 @ 45 -	810.00
f.	C&RA	<u>9 days</u>	9 @ 45 -	<u>405.00</u>
		201 days		\$9045.00

per diem

In these  
days, per  
diem came  
out of  
committee  
budget.

HOUSE

a.	Reg. Review, Trans	7 days	7 @ 45 -	315.00
b.	C&RA, Jud., Code Rev.	11 days	11 @ 45 -	495.00
c.	Jud.	3 days	3 @ 45 -	135.00
d.	C&RA, LB&C	2 days	2 @ 45 -	90.00
e.	LB&C	71 days	71 @ 45 -	3195.00
f.	Jud.	2 days	2 @ 45 -	90.00
g.	Trans.	1 day	1 @ 45 -	45.00
h.	Trans.	1 day	1 @ 45 -	45.00
i.	Rules, Jud.	2 days	2 @ 45 -	90.00
j.	LB&C	<u>4 days</u>	4 @ 45 -	<u>180.00</u>
		104 days		\$4680.00

LAA Don't keep LBoA & Finance  
Committee records.

Cross references. — For provisions relating to special operating budget 37.05.159. Effect of amendments. — The 1982 amendment added subsection (b). For provisions relating to special operating budget obligations, see 37.05.159.

## Chapter 15. Compensation of Legislators, Officers and Employees.

### Article 1. Legislators.

#### Section

- 10. Legislative per diem
- 20. Salary of legislators
- 50. Legislative transportation

**Sec. 24.15.010. Legislative per diem.** (a) Each member of the legislature is entitled to receive per diem at the same rate allowed for a state employee under AS 39.20.110 and 39.20.160, including regional variations in the rate where applicable.

(b) A legislator is entitled to receive per diem at the short-term rate

(1) during a legislative session if he does not live in his place of permanent residence during the session; and

(2) while he is on committee business for an interim committee of the legislature in a place which is not his place of permanent residence.

(c) A legislator is entitled to receive per diem at the long-term rate

(1) during a legislative session if he lives in his place of permanent residence during the session; and

(2) while he is engaged in committee business for an interim committee of the legislature at his place of permanent residence.

(d) In this section

(1) "long-term rate" means the long-term per diem rate established in regulations adopted by the commissioner of administration under AS 39.20.160;

(2) "short-term rate" means the short-term per diem rate established in regulations adopted by the commissioner of administration under AS 39.20.160. (§ 1 ch 26 SLA 1961; am § 3 ch 100 SLA 1963; am § 8 ch 193 SLA 1970; am § 5 ch 87 SLA 1971; am § 6 ch 263 SLA 1976; am § 13 ch 3 SLA 1980)

Effect of amendments. — The 1980 amendment retroactive to January 1, 1979, rewrote the section.

**Sec. 24.15.020. Salary of legislators.** The monthly salary for each member of the legislature is equal to Step A, Range 10 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska. The president of the senate and the speaker of the house of representatives are each entitled to an additional \$500 a year during tenure of office. (§ 2 ch 26 SLA 1961; am § 1 ch 149 SLA 1966; am § 9 ch 193 SLA 1970; am § 6 ch 148 SLA 1976; am § 7 ch 263 SLA 1976; am §§ 14, 28 ch 3 SLA 1980)

APR 14 1989

# Alaska State Legislature

Senator Paul Fischer  
Senate District D  
Box 784  
Soldotna, Alaska 99669  
(907) 262-9420 W  
262-9269



White in Juneau  
P.O. Box V  
Juneau, Alaska 99811  
(907) 465-3791

## State Senate

### M E M O R A N D U M

TO: Representative Mike Davis, Chairman  
Alaska Legislative Council

FROM: Senator Paul Fischer *PF*

DATE: April 10, 1989

RE: Suggestions for consideration regarding per diem  
and moving policy.

I am requesting that you consider the following suggestions with regards to the per diem policy revisions currently under consideration by the Alaska Legislative Council:

1. Under AS 24.20.105, Travel Per Diem or Reimbursement, would change

FROM: A legislator who is entitled to travel per diem at the short-term rate may, upon request receive the lesser long-term rate if eligible.

TO: A legislator who is entitled to travel per diem at the long-term rate may, upon request receive the greater short-term rate.

Why should it involve more paper work and an extra effort to save the state money?

2. Under AS 24.20.105, would change

FROM: To qualify for interim per diem, travel per diem, or reimbursement for actual expenses for a day, a legislator must attend a meeting for a legislative or public purpose or spend at least four hours of that day on legislative and constituent business. Travel time required in the course of conducting legislative business qualifies as legislative business.

TO: To qualify for interim per diem, travel per diem or reimbursement for actual expenses for a day, a legislator must attend a meeting for a legislative

or public purpose, or spend at least six hours of that day on legislative and constituent business. Travel time required in the course of conducting legislative business qualifies as legislative business.

While it appears the Council may not want to require a full day's work, which is my own personal standard, I would suggest you consider not less than six hours of work be required to qualify for per diem.

3. Under 24.10.130, Legislative Transportation, Session Moving and Travel Policy, which the Council does not address in its policy revision, I would suggest the following changes:

I. MOVING

HOUSEHOLD GOODS AND PERSONAL EFFECTS - change

FROM: "LAA will pay for actual and necessary expenses charged by a commercial mover for packing, transporting, and unpacking up to 10,000 pounds of household goods and personal effects,..."

TO: "LAA will pay for actual and necessary expenses charged by a commercial mover for packing, transporting, and unpacking up to 5,000 pounds of household goods and personal effects,..."

It has come to my attention that violations sometimes occur under the section **ITEMS THAT MAY NOT BE SHIPPED**. The above change would prevent violations of this section and help assure that the personal belongings of legislative staff are not shipped at state expense.

The Council might choose review past history to determine whether or not 10,000 pounds is necessary.

II. TRAVEL AND VEHICLES, change

FROM: "A legislator may receive payment for transportation costs for not more than two motor vehicles which are registered in the name of the legislator, his or her spouse, or dependent."

TO: "A legislator may receive payment for

transportation costs for not more than one motor vehicle which is registered in the name of the legislator, his or her spouse, or dependent.

I suggest you consider the above change for obvious reasons. A legislator cannot drive more than one vehicle at a time. Again, the Council may choose to review past history to determine if a change is warranted.

# Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman

Sen. Al Adams

Sen. Tim Kelly

Sen. Rick Uehling



P.O. Box V  
State Capitol  
Juneau, Alaska 99811

907-465-3712

## Senate State Affairs Committee

### MEMORANDUM

TO: State Affairs Committee Members

FROM: Senator Pat Pourchot, Chairman

RE: April 10 Committee Meeting

DATE: April 8, 1989

On Monday, April 10 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will receive a briefing from Donna Willard, Chairman of the Alaska State Officers' Compensation Commission, on the Commission's 1989 report.

The Commission, established in 1986, is charged with reviewing and recommending the salaries of legislative, judicial and executive officers in Alaska. The Commission consists of seven members including one representative of labor, one representative of a non-partisan voter organization, one business executive, and one person with experience in public administration.

Copies of the Commission's report were distributed to members directly by the Commission. A brief summary of their recommendations is attached.

### SB 192. An Act relating to legislators' long term per diem

SB 192 would limit eligibility for long term per diem during the interim to days spent attending meetings of a legislative committee or subcommittee. Current statute allows long term per diem to be collected whenever the legislator is engaged in "legislative business".

Included in the packet is an amendment proposed by the bill sponsor which would allow both short term and long term per diem to be collected whenever the legislator is on legislative business away from his or her home town. This would be akin to a day of pay with travel expenses.

Also included in the packet are two proposals under consideration by the Legislative Council that would revise the current policy

Committee Memo  
April 10, 1989  
Page 2

on long term per diem. Both would limit eligibility for interim per diem to days spent attending meetings for a legislative or public purpose, or days in which at least four hours were spent on legislative or constituent business.

SB 250, An Act relating to the confidentiality of research conducted by the University of Alaska

SB 250 would exempt research in progress at the University from the state's open records law. This would allow information owned by a researcher to be kept confidential while a research project is underway. In addition, the University would be authorized to keep confidential under certain circumstances records developed as a result of research.

# Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman  
Sen. Al Adams  
Sen. Tim Kelly  
Sen. Rick Uehling



P.O. Box V  
State Capitol  
Juneau, Alaska 99811

907-465-3712

## Senate State Affairs Committee

### MEMORANDUM

TO: Senate State Affairs Committee Members  
FROM: Senator Pat Pourchot, Chairman  
RE: April 26 Committee Memo  
DATE: April 25, 1989

On Wednesday, April 26 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SJR 46, Supporting the establishment of a Joint Commission on the Status of Alaska Natives by Congress

SJR 46 would support the establishment of a Joint Commission on the Status of Alaska Natives and commit the state to actively participate on the commission. The commission would be charged with conducting a comprehensive review of federal and state policies affecting Alaska Natives and the current health, social, and economic status of Alaska Natives.

The resolution that would establish the Commission is pending introduction in the U.S. Senate. The effort stems from the recently published AFN Report on the Status of Alaska Natives.

SSSB 72, An Act relating to registration and licensing of contractors; prohibiting the use of state money for certain residential work unless the work is performed by a licensed residential contractor

SB 72 would require that contractors who construct or alter privately-owned residential structures of one to four units have a residential endorsement on their license. To receive the endorsement, the contractor would need to pass a written or practical exam which tests competence in arctic construction techniques, and complete the Alaska Craftsman Home program or a postsecondary course in arctic engineering or its equivalent.

The Labor and Commerce C.S. clarified that the residential requirement would be an endorsement to the general contractor's license rather than a separate license, allowed participation in programs equivalent to the Alaska Craftsman Home program, and allowed the exemptions in current statute for small projects and owner-built projects.

Committee Memo  
April 26, 1989  
Page 2

SB 157, An Act relating to imposition of a civil fine for violation of a statute, regulation, or ordinance related to alcoholic beverages

SB 157 would authorize the Alcoholic Beverage Control Board to assess civil fines against liquor licensees who violate liquor laws. The fine would be in addition to license suspension or revocation, and would follow the suspension/revocation hearing required under current statute. The amount of the fine would be determined by the Board.

The bill would also provide the Board with program receipt authority. Fees and fines would be separately accounted for and could be appropriated by the legislature to fund the Board's operation.

SB 192, An Act relating to legislators' eligibility for long-term per diem

SB 192, which would limit eligibility for long term per diem during the interim to days spent attending meetings of a legislative committee or subcommittee, was heard by the State Affairs Committee on April 10. No action was taken pending action by the Legislative Council on a revised per diem policy.

The Council policy, adopted April 24, is attached. It provides that to qualify for interim per diem a legislator must attend a meeting for a legislative or public purpose, or spend at least four hours of that day on legislative and constituent business.

Also attached is a fiscal note for SB 192, indicating savings of \$161,700. Fiscal impact of the new Council policy has not yet been determined.

CSHB 93(Jud), An Act relating to a duty of the director of the division of elections and to voter registration by the Department of Public Safety

HB 93 would require that the Division of Elections provide voter registration forms to the Division of Motor Vehicles, and that DMV advise persons registering their vehicles or applying for drivers' licenses that they may also register to vote.

According to the Division of Elections, most motor vehicle registration outlets currently provide voter registration services. Elections provides training to DMV personnel; DMV forwards completed voter registration forms to Elections.

In addition, SJR 38, Proposing an amendment to the Constitution of the State of Alaska relating to terms of legislators, will be before the committee. Due to time constraints, the bill was not heard on April 24 as scheduled.

As amended April 24, 1989

LEGISLATIVE PER DIEM POLICY

Session Per Diem

Under AS 24.10.105, legislators are entitled to a per diem for each day of a legislative session. Legislators whose place of permanent residence is not Juneau are paid at the short-term rate. Legislators whose place of permanent residence is Juneau are paid at the long-term rate.

Legislators receive per diem in advance every two weeks starting on the first day of session. Per diem checks are delivered to the legislator's mail box in the Capitol.

Interim Per Diem

Under AS 24.10.105, a legislator is entitled to per diem during the interim at the long-term rate while engaged in legislative business at the place of the legislator's permanent residence.

To qualify for interim per diem, a legislator must attend a meeting for a legislative or public purpose, or spend at least four hours of that day on legislative and constituent business. Travel time required in the course of conducting legislative business qualifies as legislative business.

A legislator must request interim per diem by submitting a signed statement describing the legislative and constituent business and amount of time spent on it, for each day requested, to the appropriate presiding officer within 60 days after the day the business was conducted. The presiding officer may approve the statement and submit it to the Legislative Affairs Agency for payment. The presiding officer may delegate the authority to approve interim per diem to the executive director of the agency.

Travel Per Diem or Reimbursement

Under AS 24.10.105, when a legislator is away from Juneau on legislative business during the legislative session, the legislator is entitled to receive travel per diem for incidental transportation, food, and lodging expenses. In lieu of travel per diem, the legislator may receive meal allowances and reimbursement for the actual amount of the other expenses. However, for travel to Anchorage, Fairbanks, or Juneau reimbursement may not exceed the applicable travel per diem amount. The travel per diem or reimbursement is in addition to session per diem.

A legislator on legislative business during the interim between legislative sessions is entitled to receive travel per diem or meal allowances and reimbursement for other actual expenses.

A legislator who is entitled to travel per diem shall be paid

- (1) at the short-term rate while on legislative business
  - (a) during the interim in a place that is not the legislator's place of permanent residence;
  - (b) during the session in a place that is neither Juneau nor the legislator's place of permanent residence; and,
- (2) at the long-term rate while on legislative business in the legislator's place of permanent residence during the session if the legislator's place of permanent residence is not Juneau.

A legislator must request travel per diem or reimbursement for actual expenses by submitting a claim to the Legislative Affairs Agency within 60 days after returning from the trip.

#### Reimbursement for Actual Expenses

If the legislators expect to request reimbursement for expenses in lieu of travel per diem, the president of the Senate or the speaker of the House of Representatives, as appropriate, or the designee of the president or the speaker, must approve the reimbursement in advance of the trip. The presiding officer may delegate authority to approve reimbursements to the executive director of the agency.

Unless the amounts are changed in the State Administrative Manual, a legislator seeking reimbursement for actual expenses is entitled to the following meal allowances for actual time in travel status:

Breakfast -----	\$ 6.00
Lunch -----	9.00
Dinner -----	16.00

As required by the State Administrative Manual, reimbursement for lodging and meals itemized under (1) and (5) may not exceed the applicable travel per diem amount for travel to Anchorage, Fairbanks, and Juneau. However, reimbursement for other itemized expenses may exceed the applicable travel per diem amount.

Unless requirements are changed in the State Administrative Manual, a legislator who is requesting reimbursement for actual expenses shall submit

- (1) receipts for lodging on letterhead invoice, showing the rate for single occupancy;
- (2) receipts for incidental transportation expenses if the charge for the item was more than \$10;
- (3) a statement of expenses for incidental transportation for which the charge was less than \$10 per item;
- (4) an itemized statement, initialed by the legislator, for business phone calls;
- (5) a statement of the date and time the travel began and ended to be used in computing meal allowances; and
- (6) if a statement or receipt required under (1) - (4) is not available, a written explanation of the failure to present the statement or receipt.





# Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman  
Sen. Al Adams  
Sen. Tim Kelly  
Sen. Rick Uehling



P.O. Box V  
State Capitol  
Juneau, Alaska 99811

907-465-3712

## Senate State Affairs Committee

### MEMORANDUM

TO: Senate State Affairs Committee Members  
FROM: Senator Pat Pourchot, Chairman  
RE: May 1 Committee Hearing  
DATE: April 28, 1989

On Monday, May 1 at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

#### SB 192, An Act relating to legislators' eligibility for long-term per diem

A draft committee substitute prepared at the sponsor's request is attached. In addition to allowing long-term per diem to be paid for days spent attending a meeting of a legislative committee, the CS would make eligible attendance at a public meeting called by a governmental entity and days during which at least four hours are spent on legislative or constituent business.

#### SB 301, An Act relating to the power cost equalization program

SB 301 would restructure the Power Cost Equalization (PCE) program to establish residential customers as the first priority for funding, community facilities as the second priority, and commercial users as the third. In addition, eligible consumption levels would be reduced.

Included in the packet are proposed amendments that would adjust the percentage of costs eligible for subsidy, the minimum level to which rates may be subsidized, and eligibility requirements for participation in the program.

The PCE program became effective in October 1985. It is intended to lower power rates statewide to levels somewhat comparable to rates in Anchorage, Fairbanks, and Juneau. PCE funds are distributed to eligible utilities, and passed on to consumers through a credit on the consumer's electric bill. The Governor requested \$17,872,600 to fully fund the program in FY 90; the House budget proposes a 10% reduction, the Senate budget a 5% reduction. A fiscal note for SB 301 is being prepared.

It is not my intent to move SB 301 out of committee today.

MAY1POOP.TXT

SB 192      LEGISLATORS' LONG-TERM PER DIEM

TO TESTIFY

SEN. FAIKS, SPONSOR (CHERYL)

KATHARINE, REP. DAVIS'S OFFICE (LEG. COUNCIL)

PAM STOOPS, L.A.A.

F.Y.I.

C.S. PREPARED BY FAIKS:

- ATTEND MEETING OF LEG. COMMITTEE OR SUBCOMMITTEE
- ATTEND MEETING WITH PUBLIC PURPOSE CALLED BY GOVERNMENTAL ENTITY
- SPEND AT LEAST FOUR HOURS ON LEGISLATIVE OR CONSTITUENT BUSINESS

AMENDMENT IN YOUR NOTEBOOK; NOT DISTRIBUTED TO MEMBERS. FAIKS PREPARED SO AL COULD OFFER IF HE WANTS TO. WOULD LIMIT TO 8 DAYS LONG-TERM PER DIEM IN ANY MONTH DURING THE INTERIM.

S192POO.TXT  
4/26/89

SB 192 LEGISLATORS' LONG TERM PER DIEM

WILL BE PRESENT

SEN. FAIKS, SPONSOR

KATHARINE, REP. DAVIS'S OFFICE (FOR LEGISLATIVE COUNCIL)

PAM STOOPS, L.A.A.

*Reardon*

F.Y.I.

CURRENT "WHILE ENGAGED IN COMMITTEE BUSINESS OR OTHER  
LEGISLATIVE BUSINESS"

SB 192 "ATTENDING A MEETING OF A LEGISLATIVE COMMITTEE OR  
SUBCOMMITTEE CALLED BY THE CHAIR"

COUNCIL "ATTEND A MEETING FOR A LEGISLATIVE OR PUBLIC PURPOSE,  
OR SPEND AT LEAST FOUR HOURS OF THAT DAY ON LEGISLATIVE  
AND CONSTITUENT BUSINESS"

WE COULD AMEND SB 192 TO INCLUDE THE COUNCIL LANGUAGE, OR AMEND  
SB 192 TO AUTHORIZE LEG. COUNCIL TO DEFINE "COMMITTEE OR  
LEGISLATIVE BUSINESS".

THE BILL DOESN'T HAVE AN EFFECTIVE DATE -- SHOULD IT?

*Sandra*

1 IN THE SENATE

BY FAIKS

2

SENATE BILL NO. 192

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to legislators' eligibility for  
7 long-term per diem."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. FINDINGS AND PURPOSE. (a) Under current state law,  
10 legislators may receive long-term per diem during the interim while engaged  
11 in committee or other legislative business. As a result of individual  
12 interpretation of this law, certain legislators have claimed per diem while  
13 engaged in minimal legislative business. The result has been the payment  
14 of hundreds of thousands of dollars to legislators in long-term per diem  
15 without oversight or accountability.

16 (b) This Act is intended to establish specific criteria setting out  
17 when legislators are eligible to receive long-term per diem for work in  
18 their place of residence.

19 \* Sec. 2. AS 24.10.105(c) is amended to read:

20 (c) A legislator is entitled to receive per diem at the long-  
21 term rate

22 (1) during a legislative session if the legislator is  
23 living in the legislator's place of permanent residence during the  
24 session; and

25 (2) for each day spent attending a meeting of a legislative  
26 committee or subcommittee called by the chair when the committee or  
27 subcommittee meeting is held in [WHILE ENGAGED IN COMMITTEE BUSINESS  
28 OR OTHER LEGISLATIVE BUSINESS AT] the legislator's place of permanent  
29 residence.

*expect public notice (i.e. newspaper)*

*Faiks -  
OK to  
drop*

a) same rate as state employee

39.20.110 } set by DDA in reg.  
39.20.160 }

b) Short term

1 IN THE SENATE

SENATE BILL NO. 192

BY FAIKS

- during session if don't live in your  
leg. business away from home

{ either session  
or interim

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to legislators' eligibility for  
7 long-term per diem."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

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committee or subcommittee called by the chair when the committee or  
subcommittee meeting is held in [WHILE ENGAGED IN COMMITTEE BUSINESS  
OR OTHER LEGISLATIVE BUSINESS AT] the legislator's place of permanent  
29 residence.

during session if  
live in your

during interim -  
(leg. business)  
at home

During session (ie Pat)  
short term p.d. for being in Juv  
+ short term per SB 192  
diem if travel

Faiks wants to  
define

Pat

→ \$80 - short term during session  
return to Anch - \$50 = long term  
if go to Fbx { \$90

if → SF Short term session  
- short term travel  
- travel per diem req. receipts  
\$31/day/meal + hotel

+ travel per diem = short term unless actual expenses (except in Anch, Fbx, Trn) are more

House

Cotten - can't get \$50 if return to home city

Fuiks

short term  
+ long term

~~\$80~~ - leg. business away from home

+55 - " " " " " "  
ie for travel  
travel expenses + "pay"

Currently, during session

like session  
travel +  
pay

\$80 day  
return to Anch \$50/day  
go to Fbx \$90

Leg Council #1 Kelly, #2 Davis  
who approve? presiding officer or warden  
submit? 30 days or 60

SB 192 LEGISLATORS' LONG TERM PER DIEM

TO TESTIFY

SENATOR FAIKS, SPONSOR

~~REP. DAVIS~~ <sup>NO</sup> CHAIRMAN, LEGISLATIVE COUNCIL (KATHARINE)

*shell do presentation*

PAM STOOPS, LEGISLATIVE AFFAIRS

TERRY CRAMER, LEGAL DIVISION (QUESTIONS ONLY)

F.Y.I.

FAIKS WANTS CHANGES IN STATUTE -- THINKS "POLICY" ISN'T ENOUGH. LEGAL DIVISION AGREES -- QUESTIONABLE HOW RESTRICTIVE WE CAN BE IN POLICY WHEN STATUTE IS SO BROAD.

LEG. COUNCIL LOOKED AT 2 PROPOSALS. BOTH LIMITED PER DIEM TO "MEETING FOR LEGISLATIVE OR PUBLIC PURPOSE" OR "4 HOURS OF LEGISLATIVE OR CONSTITUENT BUSINESS, INCLUDING TRAVEL TIME". KELLY WANTS PRESIDING OFFICER TO O.K. PER DIEM; DAVIS WANTS L.A.A. TO DO. KELLY WANTS PER DIEM REQUESTS SUBMITTED WITHIN 30 DAYS; DAVIS WANTS 60. WHEN WILL LEG. COUNCIL MEET TO FINALIZE?

IS YOUR INTENT TO AMEND FAIKS' BILL TO REFLECT THE LEG. COUNCIL POLICY?

CURRENT STATUTE/POLICY:

DURING SESSION = \$80/DAY IF JUNEAU ISN'T YOUR HOME; \$50/DAY  
IF JUNEAU IS YOUR HOME  
\$50/DAY IF YOU TRAVEL TO YOUR HOME; \$80/DAY  
IF YOU TRAVEL ELSEWHERE  
DURING INTERIM = \$50/DAY FOR DOING LEGISLATIVE BUSINESS IN  
YOUR HOME TOWN  
\$80/DAY IF YOU TRAVEL

(NOTE: BOTH DURING SESSION AND INTERIM, YOU CAN SUBMIT ACTUAL TRAVEL EXPENSES IN LIEU OF PER DIEM. THERE ARE RESTRICTIONS ON HOW MUCH YOUR EXPENSES CAN BE.)

THE ONLY CHANGE PROPOSED BY LEG. COUNCIL OR SB 192 IS IN THE DEFINITION OF LEGISLATIVE BUSINESS. FAIKS' PROPOSED AMENDMENT WOULD ALLOW COLLECTION OF BOTH THE \$50 "BASE PAY" AND THE \$80 "TRAVEL ALLOWANCE" DURING THE INTERIM.

PER DIEM RATES ARE DEFINED IN REGULATION BY D.O.A. FOR ALL STATE EMPLOYEES, INCLUDING LEGISLATORS:

\$80/DAY SHORT TERM (WITH GEOGRAPHIC ADJUSTMENTS)  
\$50/DAY LONG TERM

PAM STOOPS HAS NOT PREPARED A FISCAL NOTE, BUT WILL COME PREPARED TO DISCUSS POTENTIAL FINANCIAL IMPLICATIONS UNDER THE VARIOUS PROPOSALS.

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_  
Title: An Act relating to legislators' eligibility for long-term per diem.  
Sponsor: Senator Faiks  
Requestor: Senate State Affairs

Affect Agency: Legislative Affairs Agency  
BRU: Legislative Council  
Legislative Operating Budget  
Components: Legislative Leadership Council and Subcommittees

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services	0	<161.7>	<161.7>	<161.7>	<161.7>	<161.7>
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>&lt;161.7&gt;</b>	<b>&lt;161.7&gt;</b>	<b>&lt;161.7&gt;</b>	<b>&lt;161.7&gt;</b>	<b>&lt;161.7&gt;</b>

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	0	<161.7>	<161.7>	<161.7>	<161.7>	<161.7>
Federal Fund						
Other						
<b>TOTAL</b>	<b>0</b>	<b>&lt;161.7&gt;</b>	<b>&lt;161.7&gt;</b>	<b>&lt;161.7&gt;</b>	<b>&lt;161.7&gt;</b>	<b>&lt;161.7&gt;</b>

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

This bill would change the basis for payment of long-term per diem which would result in a cost savings of \$161,700. In FY 88 long-term per diem expenditures were \$181,700. This bill would limit long-term per diem expenditures to approximately \$20,000 for each fiscal year.

(See attached)

Prepared By: Pamela Stoops, Director  
Division: Administrative Services

*Pamela Stoops*

Phone: 465-3850  
Date: 4/18/89

Approved By: Warren Endicott, Executive Director  
Agency: Legislative Affairs Agency

*Warren Endicott*

Date: 4/18/89

DISTRIBUTION (BY PREPARER)  
LEGISLATIVE FINANCE  
LEGISLATIVE SPONSOR

REQUESTOR  
OFFICE OF MANAGEMENT & BUDGET  
AGENCY (IES)

CONTINUATION OF FISCAL NOTE: SB 192

There are 20 standing committees (10 House and 10 Senate), the Council, and approximately 4 subcommittees which total 25 committees. Each committee may hold up to 4 meetings during the interim which could total 100 meetings. As 25 legislators are from Anchorage, an Anchorage meeting with 4 Anchorage legislators was assumed for budgeting interim long-term per diem costs.

20 standing committees (10 House and 10 Senate) plus Council and approximately 4 subcommittees. Total = 25 committees

Each Committee- Approximately 4 meetings each.  
Total = 100 committee meetings

1 day meeting in Anchorage x 4 Anchorage legislators x \$50/day = \$200 per meeting

25 committees x 4 meetings = 100 meetings x \$200/meeting = \$20,000 per fiscal year.

FY 88 long-term per diem expenditures:	\$181,700
This bill would allow approx.:	<u>\$20,000</u>
Saving	\$161,700

Not all committees will meet 4 times. However, the bill would allow long-term per diem payments for subcommittee meetings as well as committee meetings. Committee meetings are scheduled more often in non-election years. Committees will likely meet frequently during the FY 89-90 interim as it is not an election year.

FISCAL NOTE

REQUEST:

Revision Date: \_\_\_\_\_ Affect Agency Legislative Affairs Agency  
 Title: An Act relating to legislators' eligibility for long-term per diem. BRU: Legislative Council  
 Sponsor: Senator Faiks Components Salaries & Allowances  
 Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services	0	<31.7>	<31.7>	<31.7>	<31.7>	<31.7>
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>&lt;31.7&gt;</b>	<b>&lt;31.7&gt;</b>	<b>&lt;31.7&gt;</b>	<b>&lt;31.7&gt;</b>	<b>&lt;31.7&gt;</b>

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (THOUSANDS OF DOLLARS)

General Fund	0	<31.7>	<31.7>	<31.7>	<31.7>	<31.7>
Federal Fund						
Other						
<b>TOTAL</b>	<b>0</b>	<b>&lt;31.7&gt;</b>	<b>&lt;31.7&gt;</b>	<b>&lt;31.7&gt;</b>	<b>&lt;31.7&gt;</b>	<b>&lt;31.7&gt;</b>

POSITIONS:

Full-Time	0	0	0	0	0	0
Part-Time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

ANALYSIS: (ATTACH A SEPARATE PAGE IF NECESSARY)

In FY 88 a total of \$181,700 was paid for legislators' long-term per diem during the interim. CSSB 192 (St. Aff.) adds two subsections which strengthen the existing policy along with the recent Legislative Council action. Recent action by Legislative Council on April 24, 1989 added "to qualify for interim per diem, a legislator must attend a meeting for a legislative or public purpose, or spend at least 4 hours of that day on legislative and constituent business."

Prepared By: Pamela Stoops, Director *Pamela Stoops* Phone: 465-3850  
 Division: Administrative Services Date: 5/1/89

Approved By: Warren Endicott, Executive Director *Warren Endicott*  
 Agency: Legislative Affairs Agency Date: 5/1/89

DISTRIBUTION (BY PREPARER)  
 LEGISLATIVE FINANCE  
 LEGISLATIVE SPONSOR

REQUESTOR  
 OFFICE OF MANAGEMENT & BUDGET  
 AGENCY (IES)

Continuation of Fiscal Note: CSSB 192 (St. Aff.)

Section 1(c)(3) defines "a meeting with a public purpose."

Section 1 (c)(4) defines the number of hours needed for each day spent on legislative or constituent business to qualify for long-term per diem.

The assumption is made under Section 1 (c)(3) and (4) that instead of 60 days being claimed per legislator a total of 50 days would be claimed.

50 days x 60 legislators = 3,000

3,000 x \$50/day = \$150,000

\$181,700

\$150,000

            
\$31,700

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 4-10-89  
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER

FINANCE

\*\*FISCAL NOTE(S) MUST BE ATTACHED  
IN ACCORDANCE WITH AS 24.08.035

2/27/89

DATE TURNED INTO OFFICE 5-2-89

Mr. President:

STATE AFFAIRS Committee considered SB 192

legislators' eligibility for long-term per diem

and recommended:

replace with CS SB 192 (St Aff)  same title

attached amendment(s) and

new title

\_\_\_\_\_ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to \_\_\_\_\_

FISCAL NOTE(S) attached  zero

appropriation no FN attached

fiscal impact

Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

James D. Smith  
Tom Kelly

Al Adams - Do No Pass

[Signature]  
Chairman signature and recommendation

Committee backup attached

Original sponsor: Faiks

*adopted*

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 192 ( )

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to legislators' eligibility for  
7 long-term per diem."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 24.10.105(c) is amended to read:

10 (c) A legislator is entitled to receive per diem at the long-  
11 term rate

12 (1) during a legislative session if the legislator is  
13 living in the legislator's place of permanent residence during the  
14 session; [AND]

15 (2) for each day spent attending a meeting of a legislative  
16 committee or subcommittee called by the chair when the committee or  
17 subcommittee meeting is held in [WHILE ENGAGED IN COMMITTEE BUSINESS  
18 OR OTHER LEGISLATIVE BUSINESS AT] the legislator's place of permanent  
19 residence;

20 (3) for each day spent attending a meeting with a public  
21 purpose called by a local, state, or federal government entity when  
22 the meeting is held in the legislator's place of permanent residence;  
23 and

24 (4) for each day during which at least four hours are spent  
25 on legislative or constituent business in the legislator's place of  
26 permanent residence.

Original sponsor: Faiks

ina

*draft*

1 IN THE SENATE

2 CS FOR SENATE BILL NO. 192 (St Aff )

*Changes in CS  
lines 20-26  
added*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTEENTH LEGISLATURE - FIRST SESSION

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20 (3) for each day spent attending a meeting with a public  
21 purpose called by a local, state, or federal government entity when  
22 the meeting is held in the legislator's place of permanent residence;

23 and

24 (4) for each day during which at least four hours are spent  
25 on legislative or constituent business in the legislator's place of  
26 permanent residence.

*ADDED IN CS*

---

1989 REPORT

OF

THE STATE OFFICERS'  
COMPENSATION COMMISSION  
STATE OF ALASKA

A Report on Compensation and Benefits  
for the  
State of Alaska  
Executive, Judicial and Legislative Branches

February 21, 1989

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1988 MEMBERS

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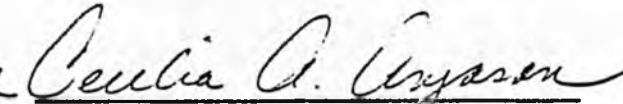

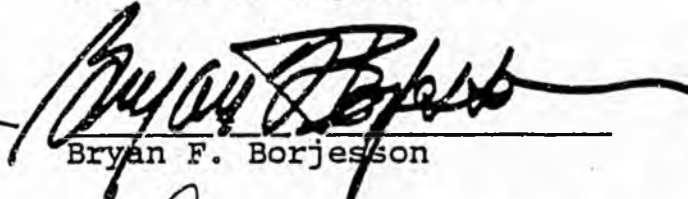
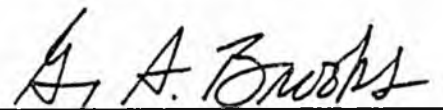
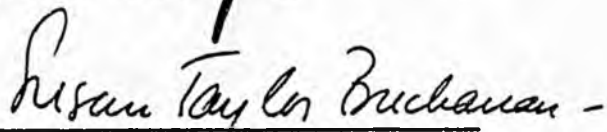
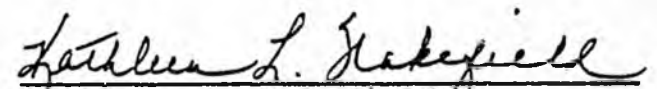
STATE OFFICERS'  
COMPENSATION COMMISSION

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	<u>Expiration of Term</u>
Donna C. Willard, <i>Chairman, Anchorage</i> ..... (Business Executive Member)	July 1, 1992
Cecelia A. Angasan, <i>Dillingham</i> ..... (Public Member)	July 1, 1989
Donald Argetsinger, <i>Kotzebue</i> ..... (Public Administrator Member)	July 1, 1990
Bryan F. Borjesson, <i>Fairbanks</i> ..... (Public Member)	July 1, 1992
Gary A. Brooks, <i>Palmer</i> ..... (Labor Member)	July 1, 1989
Susan Taylor Buchanan, <i>Anchorage</i> ..... (Public Member)	July 1, 1990
Kathleen L. Wakefield, <i>Juneau</i> ..... (Non-partisan Voter Organization)	July 1, 1991

CERTIFICATION

The following report and recommendations accurately represent the conclusions and findings of the Alaska State Officers' Compensation Commission.

 Donna C. Willard, Chairman	 Cecelia A. Argasan
 Donald Argetsinger	 Bryan F. Borjesson
 Gary A. Brooks	 Susan Taylor Buchanan
 Kathleen L. Wakefield	

Dated: February 21, 1969

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# INTRODUCTION

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The State Officers' Compensation Commission was created by the Alaska State Legislature in 1986 (Chapter 124, SLA 1986). It is made up of seven members appointed by the Governor subject to confirmation by the Legislature. No current State or municipal employee or official may serve on the Commission.

The Commission must include one representative of labor, one representative of a non-partisan voter organization, one business executive and one person with experience in public administration. Commissioners are appointed to staggered four-year terms. Members of the Commission receive travel and per diem for attendance at Commission meetings. Members may also receive per diem for work done on behalf of the Commission upon approval of the Chairman. They do not receive any other form of compensation.

The Alaska State Officers' Compensation Commission is charged with reviewing and recommending the salaries of legislative, judicial and executive officers in Alaska. Its responsibility and authority are derived from Title 39 of the Alaska Statutes as enacted by Chapter 124, Session Laws of Alaska 1986, signed into law June 8, 1986.

The Commission is required to review legislative compensation at least once every two years. The first such review was undertaken in 1987. In 1988, the Commission commenced its review of the compensation, benefits and allowances of the justices and judges of the state court system. While thus engaged, it determined that a review of the compensation and benefits paid to the executive branch of state government was also appropriate. Because of the concomitant workload, the Commission did not issue a report in FY 1988. In addition, as mandated by law, the Commission conducted its second review of legislative salaries. Thus, this Report includes analyses and recommendations for all three branches of state government.

The Commission perceives its role as a neutral one: to develop recommendations based on an objective assessment of what compensation should be in light of the inherent responsibilities of the various positions in the executive, judicial and legislative branches and the demands of those positions.

Given the Commission's advisory function, it is left to the Legislature to consider the political implications and the economic climate as it decides whether to enact legislation in accordance with the Commission's recommendations.

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EXECUTIVE  
BRANCH

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# EXECUTIVE BRANCH ORGANIZATION

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1988

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## GOVERNOR

DEPARTMENTS	LIEUTENANT GOVERNOR	OFFICE OF THE GOVERNOR
Administration	Division of Elections	Management & Budget (OMB)
Commerce & Economic Development		D.C. Office
Community & Regional Affairs		Other
Corrections		
Education		
Environmental Conservation		
Fish and Game		
Health & Social Services		
Labor		
Law		
Military & Veterans Affairs		
Natural Resources		
Public Safety		
Revenue		
Transportation & Public Facilities		

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# QUALIFICATIONS FOR OFFICE

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The general qualifications for the office of governor, lieutenant governor and commissioners of state departments are set out in the Alaska Constitution and the State Statutes. Additional specific qualifications for commissioners of some departments are spelled out both in the Alaska Statutes and in departmental policies.

In addition to the basic minimum qualifications required by law, the governor and lieutenant governor must run successfully for office in both primary and general elections. The candidates of each party for governor and lieutenant governor who receive the highest number of votes in the primary election become the gubernatorial slate in the general election.

## A. LEGISLATIVE REQUIREMENTS

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As required by the Constitution and the Alaska Statutes, the following minimum qualifications must be met by a candidate for governor in the State of Alaska:

1. Be at least 30 years of age;
2. Be a qualified voter of the State;
3. Have been a resident of Alaska for at least seven years immediately preceding filing for office;
4. Have been a citizen of the United States for at least seven years.

The same minimum qualifications set out for governor apply to lieutenant governor.

The only legislative qualification generally mandated for commissioners is that they shall be United States citizens. However, professional qualifications for some commissioners, such as Education, are set forth in the Alaska Statutes.<sup>1</sup> All nominees for the post of commissioner must be approved by the Legislature, except the Commissioner of Education.

## B. OTHER REQUIREMENTS

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Additional qualifications for commissioners may be imposed at the departmental level. For example, the activities of the Departments of Education and Fish and Game are both overseen by boards whose members are appointed by the Governor and confirmed by the Legislature. These boards play a direct role in the selection of the commissioners for their respective departments. The Board of Education, for instance, selects the Commissioner of Education based on a combination of legislatively mandated standards and board policy. The candidate selected is approved by the Governor but is not subject to legislative confirmation. The Commis-

<sup>1</sup> . Qualifications for the Commissioner of Education are contained in AS 14.07.145.

sioner of Fish and Game is also selected by the combined boards of Fish and of Game, but this choice must be approved by both the Governor and the Legislature.

In addition to formal requirements for office, the ability to be elected is the primary requisite for candidates for elective office. Similarly, commissioners appointed by the Governor must meet requirements which the Governor feels to be important. Aside from some familiarity with the area of expertise appropriate to particular departments, such criteria are likely to include administrative experience and the ability to deal effectively with the Legislature and the general public.

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# EXECUTIVE BRANCH RESPONSIBILITIES

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## A. THE GOVERNOR

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As stated in Article III, Section 1 of the Alaska Constitution, the executive power of the State is vested in the Governor. Section 16 of the State Constitution states that the Governor shall be responsible for the faithful execution of the laws. Section 17 empowers him to convene the Legislature, either one House or the two Houses in joint session, whenever he considers it to be in the public interest. Section 18 requires the Governor to give the Legislature information concerning the affairs of the State at the beginning of each session and to make recommendations he considers necessary.

Section 19 designates the Governor as Commander-in-Chief of the armed forces of the State, while Section 20 enables him to proclaim martial law. Section 21 empowers the Governor to grant certain pardons, commutations and reprieves. Section 23 enables the Governor to make changes in the organization of the executive branch of government or in the assignment of functions among its units which he feels are necessary for efficient administration. Section 24 states that each principal department shall be under the supervision of the Governor.

## B. THE LIEUTENANT GOVERNOR

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As stated in Article III, Section 7 of the State Constitution, the Lieutenant Governor shall perform such duties as may be prescribed by law and as may be delegated to him by the Governor. To date, these include responsibility for elections; custody of the state seal; repository for state administrative regulations; publication of the Administrative Journal; responsibility for the Administrative Procedures Act and the State Constitution; authentication of state legislation; organization of the first regular session of the Legislature; administration of Notary Public commissions; submission of Federal Election Commission reports; chairmanship of several state boards and commissions; and standing in for the Governor as required.

## C. COMMISSIONERS

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As stated in Article III, Section 25 of the Alaska Constitution, the head of each principal department shall be a single executive unless otherwise provided by law. The particular responsibilities of each commissioner are defined in the Alaska Statutes governing each agency.

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# RESTRICTIONS ON ACTIVITIES OF EXECUTIVE BRANCH

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Senior members of the executive branch are subject to certain restrictions on their activities. These restrictions, contained both in the Constitution and the Alaska Statutes, are primarily designed to avoid conflicts of interest on the part of the State's top policy makers.

Article III, Section 6 of the Alaska Constitution states that the Governor shall not hold any other office or position of profit in federal or state government or in any political subdivision.

Alaska's Conflict of Interest Law, also referred to as the financial disclosure law, requires the filing of detailed financial statements by the Governor, Lieutenant Governor, head or deputy head of, or director of a division within a department of the executive branch, assistants to the Governor, and members of certain state boards or commissions.<sup>2</sup> Statements are filed with the Alaska Public Offices Commission within 30 days of taking an oath of office and, thereafter, by April 15 of each year.

The financial statement is a sworn document which details the executive branch official's, and his or her family's, reportable financial interests during the prior calendar year. It must include all sources of income or capital gains over \$100 received during that period by the official, his or her spouse and each dependent child or non-dependent child who resides with the official. In addition, if an official, or an immediate family member, are self-employed or hold more than 50 percent of the stock in a corporation, they must disclose all clients and customers from whom more than \$100 was received during the preceding calendar year, except for those for whom client exemption is requested.

For the same period, officials must also detail the identity, location and nature of each business involvement, including non-profit corporations, in which he or she or an immediate family member was engaged; show the identity and nature of each interest in real property, including options to buy; describe each trust, including pension and profit-sharing accounts and Keogh plans, or fiduciary relationships; disclose all loans, loan guarantees or financial obligations over \$500; reveal all contracts offered, bid or held during the preceding calendar year with the State or its instrumentalities; and detail all leases or offers to lease natural resources.

Certain exemptions from the reporting requirements of the Conflict of Interest Law have been provided, principally in situations where disclosure is prohibited by law

<sup>2</sup>. AS 39.50 *et seq.*

and would subject the official to criminal and civil penalties.

Failure to comply with the provisions of the Conflict of Interest Law can result in the assessment of civil and criminal penalties ranging from fines to recommendations for removal from office, loss of remuneration and referral to the Office of the Attorney General for further civil or criminal action.

More recently, the Alaska Executive Branch Ethics Act of 1986 mandated additional restrictions for senior members of the executive branch both during and after their terms of employment.<sup>3</sup> Aside from stating obvious ethical conflicts such as misuse of official position; acceptance of improper gifts; improper use or disclosure of information; improper influence in State grants, contracts, leases or loans; and improper representation, the Act places restrictions on outside employment during state service as well as on employment after an executive has left state service, as follows:

1. **Outside employment restricted.** (a) A public employee may not render services to benefit a personal or financial interest or engage in or accept employment outside the agency which the employee serves, if the outside employment or service is incompatible or in conflict with the proper discharge of official duties.  
  
(b) A public employee rendering services for compensation, or engaging in employment outside the employee's agency shall report, by July 1 of each year, the outside services or employment to the employee's designated supervisor. During the year, any change in an employee's outside service or employment activity must be reported to the designated supervisor as it occurs.<sup>4</sup>
2. **Restrictions on employment after leaving state service.** A public officer who leaves state service may not, for two years after leaving state service, represent, advise, or assist a person for compensation regarding a matter that was under consideration by the administrative unit served by that public officer, and in which the officer participated personally and substantially through the exercise of official action. For the purposes of this subsection, "matter" includes a case, proceeding, application, contract, or determination, but does not include the proposal or consideration of legislative bills, resolutions and constitutional amendments, or other legislative measures; or the proposal, consideration, or adoption of administrative regulations.<sup>5</sup>

However, the most severe restrictions on activities of top executives in state government do not derive so much from legislation as from the need to put personal careers "on hold" for an unspecified amount of time, together with the necessity, in most cases, to move to Juneau. Unlike the judicial branch, the posts of governor, lieutenant governor and commissioner are not seen as career jobs. A governor or lieutenant governor may not serve more than two complete consecutive terms, while commissioners serve at the pleasure of the Governor, frequently for less than one full term.

Unless individuals have previously accrued time in the state retirement system,

<sup>3</sup>. AS 39.52 *et seq.*

<sup>4</sup>. AS 39.52.170.

<sup>5</sup>. AS 39.52.180.

it is possible that they may not be able to realize such benefits in future years. Furthermore, while some individuals may be able to utilize their experience in state government to future economic advantage, others may find the disruption which public service has inflicted on their private careers to be more than offsetting.

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# EXECUTIVE BRANCH SALARIES AND BENEFITS

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## A. SALARIES

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The current salaries for the Governor, Lieutenant Governor and commissioners have been in effect since 1985. They are as follows:

1. Governor.....\$81,648<sup>6</sup>
2. Lieutenant Governor .....\$76,188
3. Commissioners .....\$77,304, equivalent to Step E,  
Range 28 of the salary  
schedule in AS 39.27.011(a)  
for Juneau.

Since the Governor, Lieutenant Governor and all commissioners are based in Juneau, with the exception of the Adjutant General, who is the Commissioner of Military and Veterans Affairs and who is based in Anchorage, no top members of the executive branch are eligible to receive geographic cost of living adjustments.

## B. BENEFITS

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The Governor and Lieutenant Governor are not considered employees of the State for the purpose of state personnel laws relating to hours of employment, annual leave, sick leave, overtime, compensatory time and travel allowances. However, as a matter of policy, state regulations relating to per diem and expenditures are followed as closely as possible. In addition, the Governor and Lieutenant Governor have the right to participate in the state retirement system and in state group insurance plans.<sup>7</sup>

The Governor is provided with a vehicle and an official residence, with staff, in Juneau throughout the term of his office. The Governor's Mansion is considered a public facility which receives its own operating budget. Those funds are utilized for the maintenance and upkeep of the Mansion as well as for formal entertainment expenses.<sup>8</sup>

<sup>6</sup>. In an apparent dispute between the executive and legislative branches, the salaries of governor and lieutenant governor were frozen in 1985. Although a raise was accorded in 1983, to the amounts currently being paid, no salary increase was granted in 1985 when other executive and judicial compensation was raised. Thus, while in prior years, the Governor's salary was equal to that of a supreme court justice, that parity was destroyed in 1985 when the judicial salaries, but not the gubernatorial salary, were raised.

<sup>7</sup>. AS 39.20.060.

<sup>8</sup>. The Commission estimated that the perquisites of office, or intangible benefits, accruing to the Governor, amounted to approximately \$30,000 per year.

Commissioners are eligible to receive the same retirement, supplemental benefits and health insurance benefits as the Governor, Lieutenant Governor and other members of the executive branch. Unlike the Governor and Lieutenant Governor, commissioners also receive personal leave benefits. The various benefits are as follows:

**1. Retirement**

All permanent full-time and part-time, defined as persons who work twenty or more hours per week, state employees are required to be members of the Public Employees' Retirement System (PERS). Elected officials, including the Governor and Lieutenant Governor, are automatically covered under PERS, unless a written waiver is filed. Employees are required to contribute 6.75 percent of all salary, with peace officers and firemen required to contribute a higher percentage. The State, as employer, must contribute the balance needed to pay future benefits. During FY 1989, the State must contribute an average of 9.38 percent of each employee's salary.

State employees are vested in the PERS when they have at least five paid-up years of creditable PERS service. For persons terminating state service, contributions must be left in the PERS in order for them to stay vested. Persons meeting the minimum PERS service requirements and who were first hired under the PERS before July 1, 1986 can retire at age 55 for normal, or age 50 for early retirement. Those hired after June 30, 1986 can retire at age 60 for normal, or age 55 for early retirement.

Benefits are calculated by applying a percentage multiplier to the average monthly compensation; i.e., adding the compensation earned during an employee's three highest consecutive payroll years and dividing the total by the number of months worked during that same period, times an employee's PERS service. The percentage multiplier, for members other than peace officers and firemen, is 2 percent per year for all service earned up to 10 years. For service earned after June 30, 1986, the multiplier rises to 2.25 percent for all service over 10 years but less than 20 years, and 2.5 percent for all service over 20 years.

**2. Supplemental Benefits**

The Supplemental Benefits System (SBS) was designed to provide benefits in lieu of those supplied by the social security system from which the State withdrew. Employees contribute 6.13 percent of their salary, with the State contributing an equal amount. Each enrollee has the option of selecting a variety of benefits, including disability benefits, life insurance, supplemental health insurance or annuities from his or her SBS account.

These benefits can be tailored to meet an employee's individual needs. Upon retirement, the outstanding balance in an SBS account, which includes principal and interest, becomes available to the employee or his or her beneficiary.

**3. Personal Leave**

Commissioners are entitled to personal leave which is a combination of medical and vacation leave. This differs from some of the general government employees

who have separate sick leave and annual leave entitlements.

Personal leave entitlement is calculated based on a 40 hour work week and on years of eligible state service. A commissioner is entitled to 16 hours per monthly pay period if he or she has less than two years of service; 18 hours per pay period for two to five years of service; 20 hours per pay period if he or she has more than five years but less than ten years of service; and 24 hours per pay period if he or she has more than ten years of service.

Thus, after two years of service, a commissioner is entitled to personal leave of 27 days per year and after five years, he or she is entitled to 30 days per year.

Once a commissioner terminates his or her service, accrued personal leave may be cashed out. If a commissioner transfers to another state position, the leave may also be transferred, although if the new position divides leave into sick and annual categories, the accrued personal time is allocated among the two.

**4. Health Insurance**

All executive branch employees are covered by the same basic health insurance plan which is available to general government employees. Also, like other state employees, they may also elect to receive additional health insurance coverage under the State's Supplemental Benefits System.

**5. Leave Without Pay**

In addition to personal leave, commissioners may take leave without pay. Permission to take such leave must be obtained from the Governor's chief of staff.

# COMPARISON WITH OTHER STATES

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## A. SALARIES

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State Officers' Compensation Commission staff contacted each state to determine the current salary of the chief executive. However, it is not practical to compare the salaries of lieutenant governors since their duties differ from state to state. Similarly, it is impractical to attempt to compare salaries of commissioners because the manner in which they attain office may be elective or appointive and very few states pay all commissioners at the same rate.

As indicated by Table 2, the salary of the Governor of the State of Alaska ranked 19th among the states in 1988.

## B. BENEFITS

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No attempt was made to compare the benefits accruing to top Alaska executive branch officials with those of other states except to note that provision of an official residence for the governor is a benefit common to all other states except Arizona, Massachusetts and Vermont. In general, however, it can be stated that the benefits available to executive branch employees in Alaska are superior to those available to such employees in many other states.

## C. COST OF LIVING

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Cost of living differentials are another factor to be taken into account when comparing Alaska salaries or benefits with those in other states. This topic is covered in Appendix A and Tables 19, 20 and 21.

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# COMPARISON WITH OTHER STATE EMPLOYEES

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Table 3 indicates the salaries of the top officials of the executive branch, compared with those of chief executives of various independent state agencies and the University of Alaska. Table 4 lists the annual salaries of state employees within the various departments, including independent state agencies, which were greater than those of the commissioners as of the beginning of 1988<sup>1</sup>.

In general, the salaries of state employees which exceed those of the governor and various commissioners are paid to persons having highly specialized levels of expertise. In addition, in the Department of Law, persons with salaries greater than that of the Attorney General have many years of state service.

The following observations can be made:

1. The base salary of \$81,648 paid to the Governor is less than the salary of \$85,728 which supreme court justices receive. The failure to raise the salaries of the Governor and Lieutenant Governor in 1985, which was earlier referenced, accounts for this difference. One non-salary benefit accruing to the Governor, housing, is not available to the judiciary. The salaries of other state judges are lower than that of the Governor.
2. The base salary of \$77,304 paid to commissioners is the same as that received by superior court judges.
3. The base salaries of chief executives of independent state agencies and corporations are highly variable. In 1987, the executive directors of four of these agencies and corporations, the Alaska Permanent Fund Corporation, the Alaska Power Authority, the Alaska Railroad Corporation and the Postsecondary Education Commission, received base salaries which exceeded that of the Governor. In two cases, those of the Alaska Permanent Fund Corporation and the Alaska Railroad Corporation, the salaries also exceeded that paid to state supreme court justices.
4. Base salaries paid to top officials of the University of Alaska exceed those paid to either the Governor or members of the Alaska judiciary. The same is true with respect to the salary paid to the Superintendent of the Anchorage School District.
5. Some state employees with long service, particularly in the Department of Law,

<sup>1</sup>. These salary figures were current as of the period November 1987 through January 1988.

earn base salaries higher than that of their commissioners. In 1987, one Department of Law employee had a base salary in excess, not only of the Attorney General but also of that paid to Alaska Supreme Court justices. Another seven employees in the same Department had base salaries equal to or exceeding that paid to Court of Appeals judges. In 1988, two Department of Law employees had base salaries in excess of that paid to Alaska Supreme Court justices and another five had base salaries equal to or exceeding that paid to Court of Appeals judges.

6. The base compensation of the Administrative Director of the Court System is pegged at \$2,000 less than that received by supreme court justices, for a salary of \$83,728. Thus, he currently earns more than the Governor.

# LEGISLATIVE HISTORY

The following is an outline of the major legislative events since statehood which have shaped and changed the Alaska executive branch. The basic character of the executive branch was established by the State Constitution and the State Organization Act of 1959. Changes since that time have been enacted through state statutes and executive orders. A history of changes in executive branch compensation, together with that for the judiciary, is contained in Table 1.

## CONSTITUTIONAL PROVISIONS

1959 — Article III of the State Constitution outlines the authority, powers, responsibilities and qualifications for office; establishes procedures for succession, plus declarations of martial law and executive clemency; and sets out guidelines for organization of the executive branch.

Specifically, the Constitution contains the following relevant provisions:

### **Governor:**

The executive power of the state is vested in the Governor. (Section 1).

The Governor shall be at least 30 years of age and a qualified voter of the State. He shall have been a state resident for at least 7 years immediately preceding his filing for office and shall have been a U.S. citizen for at least 7 years. (Section 2).

The term of office of the Governor is 4 years. (Section 4). No person who has been elected governor for two full terms shall be eligible to again hold that office until one full term has intervened. (Section 5).

The Governor shall not hold any other office or position of profit under the United States, the State or its political subdivisions. (Section 6).

The Governor shall be responsible for the faithful execution of the laws. This authority shall not be construed to authorize any action or proceeding against the Legislature. (Section 16).

Whenever the Governor considers it in the public interest, he may convene the Legislature. (Section 17).

The Governor shall, at the beginning of each session, give the Legislature information concerning the affairs of the State and recommend the measures he considers necessary. (Section 18).

The Governor may make changes in the organization of the executive branch or in the assignment of functions among its units which he considers necessary

for efficient administration. Where these changes require the force of law, they shall be set forth in executive orders. The Legislature shall have sixty days of a regular session, or a full session if of shorter duration, to disapprove these executive orders. (Section 23).

**Lieutenant Governor:**

The Lieutenant Governor was originally denominated Secretary of State but the title was changed by Constitutional amendment approved by the voters on August 25, 1970, becoming effective October 10, 1970. A candidate for this position must meet the same qualifications as those set for the office of governor and shall serve for the same term.

The Lieutenant Governor shall perform such duties as may be prescribed by law and as may be delegated to him by the Governor. (Section 7). In the temporary absence of the Governor from office, the Lieutenant Governor shall serve as acting governor. (Section 9).

In the case of a vacancy in the office of governor for any reason, the Lieutenant Governor shall succeed to the office for the remainder of the term. (Section 11).

The compensation of the Governor and Lieutenant Governor shall be prescribed by law and shall not be diminished during their terms of office, unless by general law applying to all salaried offices of the State. (Section 15).

**Commissioners:**

All executive and administrative departments and agencies of the state government and their respective functions, powers and duties shall be allocated by law among and within not more than 20 principal departments. Regulatory, quasi-judicial and temporary agencies need not be allocated within a principal department. (Section 22).

Each principal department shall be under the supervision of the Governor. (Section 24).

The head of each principal department shall be appointed by the Governor, subject to confirmation by the Legislature, and shall serve at the pleasure of the Governor. The heads of all principal departments shall be citizens of the United States. (Section 25).

When a board or commission is at the head of a principal department or a regulatory or quasi-judicial agency, its members shall be appointed by the Governor, subject to confirmation by the Legislature, and may be removed as provided by law. They shall be United States citizens. (Section 26).

1970 — SJR 2<sup>10</sup>

Changed the name of the Secretary of State to Lieutenant Governor.

<sup>10</sup>. The Constitutional provisions affected are Article III, (( 7-11, 13-15 and 25; Article XI, (( 2-6; and Article XIII, (( 1-3.

## LEGISLATIVE ENACTMENTS AND EXECUTIVE ORDERS

1959 — **State Organization Act of 1959** (Sections 1 and 2, Chapter 64, SLA 1959):  
Section 2 created and established the following principal departments and offices: Office of the Governor, Department of Administration, Department of Law, Department of Revenue, Department of Education, Department of Health and Welfare, Department of Labor, Department of Commerce, Department of Military Affairs, Department of Natural Resources, Department of Fish and Game, Department of Public Safety, and Department of Public Works.

Section 4 specified that the head of every principal executive department shall be appointed by the Governor, subject to confirmation by a majority of the members of the Legislature in joint session, shall serve at the pleasure of the Governor, and shall receive such compensation as may be fixed by law.

Section 6 established standards for members of boards appointed by the Governor, subject to confirmation by a majority of the members of the Legislature in joint session.

Subsequent sections of the State Organization Act related to the organization of the various departments and offices; to the establishment of interim boards; and to the abolition of previously existing agencies and offices.

— **Section 1, Chapter 105, SLA 1959:**

Established maximum annual salaries for the heads of twelve principal executive departments:

Commissioner of Administration .....	\$17,000
Attorney General .....	17,000
Commissioner of Education .....	17,000
Commissioner of Health & Welfare .....	17,000
Commissioner of Natural Resources .....	17,000
Commissioner of Fish and Game .....	17,000
Commissioner of Public Works .....	17,000
Commissioner of Commerce .....	15,000
Commissioner of Revenue .....	15,000
Commissioner of Labor .....	15,000
Commissioner of Public Safety .....	15,000
Adjutant General .....	12,000

1962 — **Section 1, Chapter 159, SLA 1962:**

Created the Department of Economic Development and Planning.

— **Section 2, Chapter 128, SLA 1962:**

Department heads to receive a salary not to exceed the following:

Commissioner of Highways .....	\$19,000
Commissioner of Administration .....	18,000
Attorney General .....	18,000
Commissioner of Education .....	17,000
Commissioner of Health & Welfare .....	17,000

Commissioner of Natural Resources .....	17,000
Commissioner of Fish and Game .....	17,000
Commissioner of Public Works .....	17,000
Commissioner of Revenue .....	17,000
Commissioner of Labor.....	17,000
Commissioner of Public Safety .....	17,000
Commissioner of Commerce.....	17,000
Commissioner of Economic Development .....	17,000

1963 — **Sections 1 and 2, Chapter 49, SLA 1963:**

Section 1 listed the following principal offices and departments in state government:

- (1) Office of the Governor;
- (2) Department of Administration;
- (3) Department of Law;
- (4) Department of Revenue;
- (5) Department of Education;
- (6) Department of Health and Welfare;
- (7) Department of Labor;
- (8) Department of Commerce;
- (9) Department of Military Affairs;
- (10) Department of Natural Resources;
- (11) Department of Fish and Game;
- (12) Department of Public Safety;
- (13) Department of Public Works;
- (14) Department of Economic Development and Planning;
- (15) Department of Highways.

Section 2 established the Department of Highways.

1965 — **Section 1, Chapter 115, SLA 1965:**

Section 1 set the annual salary of the Governor at \$27,500.

Section 2 set the annual salary of the Lieutenant Governor at \$21,000.

Section 3 set the annual salaries of commissioners at \$20,000 except for that of the Adjutant General which was set at \$17,000.

1966 — **Section 1, Chapter 156, SLA 1966:**

Provided for uniformity in the salaries of all commissioners, effective July 1, 1966. At that date, all commissioners were entitled to an annual salary of \$20,000.

1971 — **Section 1, Chapter 120, SLA 1971:**

Section 1 created the Department of Environmental Conservation.

1972 — **Section 1, Chapter 20, SLA 1972:**

Section 1 created the Department of Community and Regional Affairs.

- 1975 — **Section 1, Chapter 207, SLA 1975:**  
Abolished the Department of Economic Development and Planning.
- 1977 — **Executive Order No. 39:**  
Created the Department of Transportation and Public Facilities.
- 1984 — **Executive Order No. 55:**  
Created the Department of Corrections.
- 1986 — **Section 1, Chapter 87, SLA 1986:**  
Adopted the Alaska Executive Branch Ethics Act which provides a code of ethics for public officers in the executive branch, and establishes procedures for the hearing of complaints, and for enforcement of the Code.

# RECOMMENDATIONS

## A. THE BASE SALARIES

The Commission makes the following salary recommendations for the Governor, Lieutenant Governor and commissioners:

Governor .....	\$100,000 per year
Lieutenant Governor .....	76,188 per year
Cabinet officers .....	92,000 per year

The Commission also recommends that commissioners be allowed 12 weeks of maternity leave.

## B. RATIONALE

First, it should be noted that, as with the federal system, there are three co-equal branches of government in Alaska; the executive, the judicial and the legislative. Thus, as nearly as possible, given the divergent responsibilities, lengths of service and hours expended, the compensation of the responsible leaders should also be co-equal.

That fact was apparently first recognized in 1979 when the salaries of the governor and supreme court justices, both full-time positions, first reached parity.<sup>1</sup> And that equality was maintained until 1985 when, for whatever reason, the justices were accorded a raise while the gubernatorial salary was maintained at the 1983 level. In 1985, the justices were raised to a salary level of \$85,728, elevating them above the amount paid to the Governor who remained at a salary of \$81,648. There has been no increase, for either branch, since that date.

It should furthermore be recognized that, since 1985, when Alaska's governor was ranked seventh in the nation, he now occupies nineteenth position.<sup>2</sup>

Apart from the foregoing, the Commission also recognized that the Consumer Price Index in Alaska (Anchorage) increased 7.1 percent between 1985 and July 1988. If that percentage alone were to be applied to what should have been a 1985 gubernatorial salary of \$85,728, it would mean that the Governor of the State of Alaska would be entitled to base compensation of \$91,815, solely as the result of inflation.<sup>3</sup>

The recommended salary for the Governor is based on a longer term review of changes in the Consumer Price Index for Alaska (Anchorage) since 1975. If im-

<sup>1</sup>. Table 1.

<sup>2</sup>. Table 2.

<sup>3</sup>. See Appendix A and Table 19.

plemented, it would place Alaska's governor fourth in the nation!<sup>4</sup> Given the difficulties which our State faces, and with which its chief executive must deal, the Commission believes that the recommended salary is both prudent and fair.

The Commission recommended no salary increase for the Lieutenant Governor. It noted that higher utilization of the Lieutenant Governor beyond the present responsibilities of overseeing the currently assigned duties should be achieved before additional compensation is warranted. The Commission recognized that individuals holding the office may undertake more or fewer duties but felt that additional statutory duties for the office should be assigned in order to justify any further increase in salary!<sup>5</sup>

In recommending the salaries of the commissioners of the State of Alaska, the Commission relied heavily on a tier system. In their minds, albeit recognizing the differences between the longtime service of superior court judges and the appointed executive branch positions, the two could be most closely juxtaposed. Thus, for both, identical salaries were recommended.

The issue of maternity leave has received increased attention during the past few years, including the introduction in Congress of the Family and Medical Leave Act of 1987 and the Parental and Medical Leave Act of 1988!<sup>6</sup> In support of this type of legislation, Dr. T. Berry Brazelton testified that a period of at least three months of prolonged intimate contact between parent and newborn child is necessary to facilitate their "bonding" or attachment and identification with each other!<sup>7</sup> Other studies and opinions support that statement!<sup>8</sup>

The Commission unanimously agrees that maternity leave, in conformity with the foregoing, is an important aspect of any worker's life and that, at a minimum, 12 weeks' leave should be accorded.

<sup>4</sup>. See Table 2.

<sup>5</sup>. A similar conclusion was reached by the Hawaii Public Officers and Employees Compensation Review Commission in its Report presented to the 12th Hawaii State Legislature on February 28, 1983.

<sup>6</sup>. H.R. 4300, the 1987 bill, in its introduction, states, in pertinent part: "The Congress finds that (1) the number of single-parent households and two-parent households in which the single parent or both parents work is increasing significantly, (2) it is important to the development of the child and to the family unit that fathers and mothers be able to participate in early childrearing and the care of their children who have serious health problems, (3) the lack of employment opportunities to accommodate working parents can force individuals to choose between job security and parenting. . . ." The Senate version of the 1988 Act is designated S.2488 while the House version carries the number H.R. 925.

<sup>7</sup>. Colvin, *New Perspectives in Parental Leave: The Family and Medical Leave Act of 1987*, 12 *Employee Relations Law Journal* 546, 553 (1987). Dr. Brazelton is associate professor of pediatrics at Harvard Medical School and chief of the Child Development Unit of the Children's Hospital.

<sup>8</sup>. See Catalyst, *Report on a National Study of Parental Leave*: (1986); Note, H.R. 4300, *The Family and Medical Leave Act of 1986: Congress' Response To the Changing American Family*, 35 *Clev. St. L. Rev.* 455 (1987); Note, *Maternity Leave Policies: an International Survey*, 11 *Har. Women's L.J.* 171 (1988); Note, *An Overview of Federal and State Protections for Pregnant Workers*, 56 *Cincinnati L. Rev.* 757 (1987); and Staff Report, Subcommittee on Civil Service Committee on Post Office and Civil Service, *Federal Agency Parental Leave Policies*, 83 (1988).

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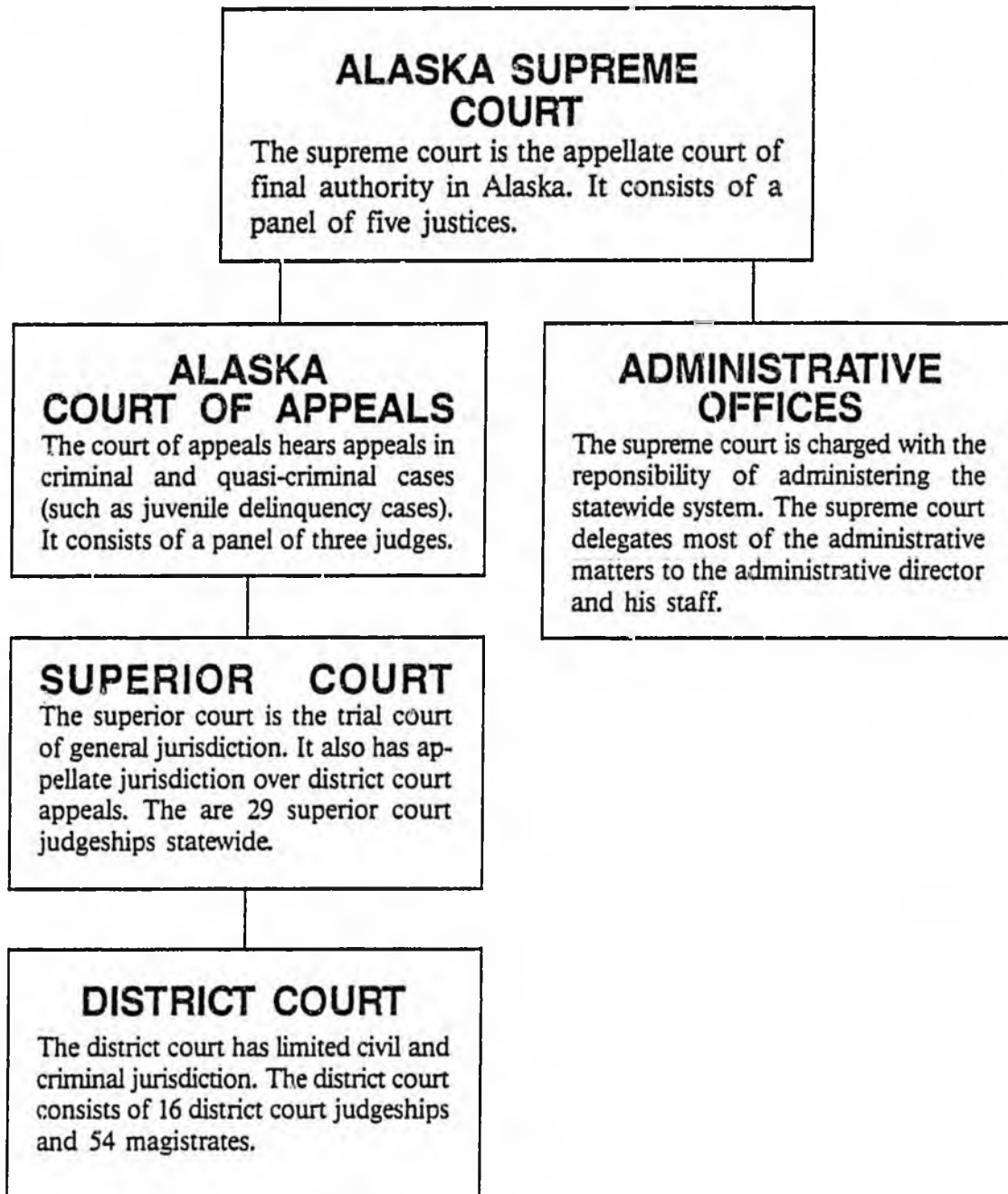
JUDICIAL  
BRANCH

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# ALASKA COURT SYSTEM ORGANIZATION

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The Alaska judiciary has a unified, centrally administered, and totally state funded judicial system. County and municipal governments do not maintain a separate court system.

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# JUDICIAL QUALIFICATIONS

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According to the American Bar Association, "the quality of a court system is determined chiefly by the quality of its judges. Judges should be selected on the basis of ability, character, training and experience, by a procedure that assures that selection is made on a merit basis."<sup>19</sup>

In August of 1983, the American Bar Association approved guidelines for reviewing qualifications of candidates for state judicial office in the following areas: integrity, legal knowledge and ability, professional experience, judicial temperament, diligence, health, financial responsibility, and public service.

Although prescribed judicial qualifications in Alaska appear, at first glance, to be relatively straightforward, candidates for judicial office are closely screened and evaluated. The performance of Alaska judges is subject to evaluation by the Alaska Judicial Council and is ultimately judged by the voters in retention elections.<sup>20</sup> In order to become and remain a Supreme, Appellate, Superior or District Court judge in Alaska, one must:

1. Possess the minimum qualifications prescribed by the State Constitution and general law;
2. Be considered one of two or more candidates deemed "most qualified" for the judicial vacancy when nominated; and
3. Perform his or her judicial duties to the satisfaction of the electorate.

## A. LEGISLATIVE REQUIREMENTS

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As prescribed by Title 22 of the Alaska Statutes and/or the Alaska Rules of Court, the following minimum qualifications must be met in order for a person to be considered by the Alaska Judicial Council for nomination to a judgeship:

### Supreme Court

1. Be a U.S. citizen;
2. Have been an Alaska resident for 5 years immediately before appointment;
3. Have been engaged in the active practice of law for at least 8 years immediately prior to appointment;
4. Be licensed to practice law in Alaska at the time of appointment.<sup>21</sup>

<sup>19</sup>. American Bar Association, *Standards Relating to Court Organization*, (1984).

<sup>20</sup>. Alaska Constitution, Article IV, Section 6.

<sup>21</sup>. AS 22.05.070.

### **Court of Appeals**

Same qualifications as for the Supreme Court.<sup>22</sup>

### **Superior Court**

Same qualifications as for Supreme Court and Court of Appeals except that the candidate must have engaged in the active practice of law for not less than 5 years prior to appointment.<sup>23</sup>

### **District Court**

1. Be a U.S. citizen;
2. Have been an Alaska resident for at least 5 years immediately prior to appointment;
3. Have been engaged in the active practice of law for not less than 3 years immediately prior to appointment or have served at least 7 years as a magistrate in the State;
4. Be at least 21 years of age.<sup>24</sup>

In addition, Rule 19 of the Administrative Rules of Court mandates that district court judges have a law degree.<sup>25</sup>

## **B. EDUCATION AND QUALIFICATIONS**

As set forth in the applicable statutes and rules, the members of the Alaska judiciary must be members of the Alaska Bar Association. Implicit in that requirement is the necessity for a formal post high school education which generally means acquisition of a four year undergraduate degree and subsequent graduation from the three year program of an American Bar Association accredited law school. Thus, most attorneys have seven years of higher education.

After graduating from law school, in order to practice law, each prospective attorney must take and pass a rigorous two and one-half day examination administered by the state in which he or she intends to practice. Upon passage of the written exam, and after demonstrating good moral character, the candidate is admitted to the Bar. Every applicant for the bench in Alaska must have completed these requisites.

## **C. ALASKA JUDICIAL COUNCIL EVALUATION**

The Alaska Judicial Council operates independently of the court system. It was created by the State Constitution to perform two primary functions. They are to solicit, screen and nominate applicants for gubernatorial appointments to vacant judgeship positions and conduct studies for improvement in the administration of justice and to make recommendations to the Legislature and the Supreme Court.<sup>26</sup>

<sup>22</sup>. AS 22.07.040.

<sup>23</sup>. AS 22.10.090.

<sup>24</sup>. AS 22.15.160.

<sup>25</sup>. The currently authorized judgeships in the State of Alaska are set forth in Table 5.

<sup>26</sup>. Alaska Constitution, Article IV, Section 8.

The Council is comprised of the Chief Justice of the Alaska Supreme Court who serves as chair and *ex officio* member; three attorney members appointed by the Board of Governors of the Alaska Bar Association; and three non-attorney members appointed by the Governor and subject to confirmation by the majority of members of the Legislature sitting in joint session. These six members serve for six year terms.

With regard to the Council's primary function, nomination of judicial candidates, applicants for gubernatorial appointments to vacant judgeships must undergo a comprehensive review process. They must first complete the Council's "Application for Judicial Appointment" questionnaire, together with appendices, provide a physician's certification of the applicant's health and submit a legal writing sample. Each applicant is then evaluated by the following means:

1. **The Bar Survey.** All active members of the Alaska Bar Association are asked, by an independent firm, to rate each candidate on a 5-point scale in five areas: professional competence, judicial temperament, integrity, suitability of experience for the position, and fairness. Members are asked to indicate whether their ratings are based on direct professional experience, other personal contacts or reputation.<sup>27</sup>
2. **Letters of Reference.** Confidential letters of reference are solicited by the Council as part of its evaluation process.
3. **Investigation of Applicants.** The Council is empowered to conduct such investigations as may be necessary or desirable into the applicants' background for the purpose of evaluating fitness for judicial appointment.
4. **Screening.** Following its review of the applications, investigative and survey data, the Council screens the various candidates for formal interviews.
5. **Interviews.** As the final stage of the evaluation process, applicants are invited to a one-half hour interview with the full Alaska Judicial Council where they are asked about their judicial philosophy and are given an opportunity to respond to or explain any information of importance gathered during the investigation.

Following the interviews, the Alaska Judicial Council submits a list of nominees to the Governor of those candidates deemed to be the "most qualified." This list must include at least two names.

#### **D. SELECTION BY THE GOVERNOR\_\_\_\_\_**

The Governor has 45 days to appoint a nominee from the list submitted by the Alaska Judicial Council to fill a particular judicial vacancy.

<sup>27</sup>. The Alaska Bar Association is comprised mainly of attorneys living and practicing law in the State of Alaska and state court judges.

## E. RETENTION BY VOTERS

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As provided by Alaska law, judges are periodically required to stand for retention by the voters. They do not run against other candidates — the voters merely vote to either retain or not retain particular judges or justices. District Court judges must stand for retention in the first general election held not sooner than one year after appointment and every four years thereafter. Supreme Court, Court of Appeals and Superior Court justices and judges stand in the first general election held not sooner than three years after initial appointment and ten, eight and six years respectively thereafter.

As part of the retention election process, the Alaska Judicial Council is responsible for conducting retention evaluations. The Council uses a three-part plan to evaluate all judges eligible for retention in a given election year, as follows:

1. The Council surveys all active members of the Alaska Bar Association and all State peace officers and probation officers. Bar Association members are asked to rate each appellate judge or justice on a 5-point scale in twelve categories and each trial court judge on the same scale in 21 categories. Peace and probation officers do not rate appellate judges but rate all trial court judges in 16 categories. All survey respondents indicate the amount and nature of their experience before each judge. Peace and probation officers evaluate trial judges using the same criteria except for those relating to the judge's legal reasoning, knowledge of civil and criminal law, and settlement skills. Following the Council's review, quantitative evaluations of all judges who have filed for retention are made public.
2. Brief narrative questionnaires are completed by selected counsel who have appeared before each judge or justice during the current term. The purpose of these questionnaires is to validate the results of initial survey findings and to obtain further information on aspects of judicial performance. Council questionnaire results are summarized and submitted to the Council for review.
3. Each justice or judge seeking retention is asked to complete a personal questionnaire regarding his or her judicial performance, health and judicial and non-judicial activities during the current term of office.

Following a review of these and other appropriate data, the Alaska Judicial Council votes to recommend either for or against each judge up for retention. These findings are made public for consideration by the voters.

Since Statehood, one Supreme Court justice and two District Court judges have been rejected by the voters, the latter on the recommendation of the Alaska Judicial Council.

The Alaska Judicial Council believes that its extensive review of potential candidates and monitoring of judicial performance have contributed to the quality of persons seeking judicial office. This belief is bolstered by higher Bar ratings for more recently appointed justices and judges, for example those appointed using the above conditions of review by the Council.<sup>28</sup> The Council also considers that the high proportion of justices and judges who make the judiciary a lifetime career is an indication of their commitment to the office.<sup>29</sup>

<sup>28</sup>. See Table 6.

<sup>29</sup>. See Table 7.

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# JUDICIAL RESPONSIBILITIES

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The four levels of state courts in Alaska are Supreme, Appeals, Superior and District, each with different powers, duties and responsibilities. The Supreme Court and the Court of Appeals are referred to as appellate courts, while the Superior and District Courts are referred to as trial courts. Unlike many other states, Alaska has no municipal courts.

## A. DIVISION OF RESPONSIBILITY

The responsibilities of the state courts are set out in Title 22, Alaska Statutes. In general, they can be summarized as follows:

### 1. Supreme Court

The five member Supreme Court is the highest court in Alaska.

The Supreme Court is empowered by the Alaska Constitution to establish rules governing the administration of all state courts and those governing practice and procedure in civil and criminal cases.

The Supreme Court hears cases on appeal from throughout the State.

- An appeal may be taken to the Supreme Court from any final judgment entered by the Superior Court in a civil action or proceeding;
- In criminal and certain quasi-criminal actions, the Supreme Court has the discretion to accept or deny a litigant's request that it review decisions made by the Court of Appeals; and<sup>30</sup>
- The Supreme Court may take jurisdiction of a case pending before the Court of Appeals if the latter court certifies that the case involves a significant question of constitutional law or an issue of substantial public interest.

### 2. Court of Appeals

The three member Court of Appeals has the authority to hear appeals from judgments in criminal and certain quasi-criminal cases in which prisoners are challenging the legality of their confinement and cases involving probation and parole decisions.

- Criminal appeals from the District Court can be taken to the Superior Court or the Court of Appeals, at the option of the defendant; and

<sup>30</sup>. Quasi-criminal actions are defined as infractions with minimal fines and no jail time or loss of license.

- A defendant who appeals from District Court to Superior Court may ask the Court of Appeals to review the Superior Court decision, although the Court of Appeals may refuse such requests.

### 3. Superior Court

The Superior Court currently has 29 members allocated among four judicial districts. It is the trial court of general jurisdiction, with original jurisdiction in all civil and criminal matters. The jurisdiction of the Superior Court is summarized by the Alaska Court System as follows:

- It handles all felony criminal trials and all civil matters where the amount in controversy exceeds \$35,000;
- It serves as an appellate court of appeals from the District Court;
- It hears cases involving children who have committed crimes or who are abused or neglected;
- It hears cases involving the property of deceased or incompetent persons;
- It hears cases involving the involuntary commitment of persons to institutions for the mentally ill; and
- It handles domestic relations matters.

### 4. District Court

The District Court currently has 17 members allocated among four judicial districts. The Supreme Court has the power to increase or decrease the number of District Court judges within each division through changes in Rule 19 of the Administrative Rules of Court. The jurisdiction of the District Court is summarized by the Alaska Court System as follows:

- It hears State misdemeanors and violations of city and borough ordinances;
- It issues summonses, arrest warrants and search warrants;
- It hears first appearances and preliminary hearings in felony cases;
- It issues absentee ballots and records vital statistics in some areas of the State;
- It serves as coroner, holds inquests and acts as temporary taker of property of decedents;
- It hears civil cases valued up to \$35,000;
- It hears small claims cases to a maximum amount of \$5,000;
- It handles cases involving children on an emergency basis; and
- It hears domestic violence cases.

## B. CASELOADS

Alaska Court System caseload statistics from Fiscal Year 1982 through Fiscal Year 1988 were examined.<sup>11</sup> In general, the number of filings in the Supreme and Appeals Courts increased significantly between FY 1982 and FY 1984 and again between FY 1985 and FY 1986. Filings in the Superior Court increased through

<sup>11</sup> See Tables 8 and 9.

FY 1985 but have declined since that time. For example, the number of filings in State Superior Court rose 26.9 percent between FY 1982 and FY 1985 but fell by 13.8 percent between FY 1985 and FY 1988.

A similar trend is observable in the number of dispositions although the overall decline in caseloads is not marked. The Court of Appeals did not commence operation until mid-September 1980 which is the primary reason for the apparent major increase in disposition caseloads for the Supreme Court between FY 1982 and FY 1983.

It is assumed that the recent decline in court filings mirrors the general decline in other sectors of the Alaska economy.

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## RESTRICTIONS ON JUDICIAL ACTIVITIES

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An analysis of judicial compensation should include consideration of the restrictions applicable to the men and women of the judiciary. Judges are subject to rigid standards of conduct which require them to curtail their social, political and financial activities to a greater degree than other public officials.

Public confidence in the judiciary can only be expected in a system in which the judiciary is seen as scrupulously unbiased and free of conflicts of interest. The Code of Judicial Conduct, which is incorporated in the Alaska Rules of Court, contains seven canons derived from model canons developed by the Alaska Bar Association. These canons are:

- Canon 1: A judge should uphold the integrity and independence of the judiciary.
- Canon 2: A judge should avoid impropriety and the appearance of impropriety in all his activities.
- Canon 3: A judge should perform the duties of his office impartially and diligently.
- Canon 4: A judge may engage in activities to improve the law, the legal system and the administration of justice.
- Canon 5: A judge should regulate his extra-judicial activities to minimize the risk of conflict with his judicial duties.
- Canon 6: A judge should regularly file reports of compensation received for quasi-judicial and extra-judicial activities.
- Canon 7: A judge should refrain from political activity inappropriate to his judicial office.

Specific activities prohibited under these canons include the following:

1. Judges must refrain from engaging in political activities. [Canon 7].
2. Judges cannot practice law, or act as arbitrator or mediator for compensation. [Canon 5].
3. A judge can participate in some charitable activities but cannot solicit funds for such organizations or maintain an association with an organization which would regularly come before him in court. [Canon 5].
4. A judge cannot engage in "financial and business dealings that tend to reflect adversely on his impartiality, interfere with the proper performance of his judicial duties, exploit his judicial position, or involve him in frequent transactions with

lawyers or persons likely to come before the court on which he serves" [Canon 5c(1)].

5. A judge is required to divest himself or herself of investments or other financial interests that might result in frequent disqualifications. [Canon 5c(3)]. A judge must make public disclosure of his or her financial activities. [Canon 6].
6. A judge must not act in any manner that would convey the impression that family, social or other relationships might be influencing his or her judicial conduct or judgment. [Canon 2].
7. The judicial duties of a judge take precedence over all of the judge's other activities. [Canon 3].

The imposition of this strict code, some of the requisites of which are also contained in Title 22 of the Alaska Statutes, may have a profound impact on the life of a judge. The canons clearly indicate that the judge's mantle of responsibility does not disappear when a judge leaves the courthouse.

Failure of justices or judges to adhere to the requirements of the canons can lead to serious consequences. These include investigations and recommendations as to discipline by the Commission on Judicial Conduct, discipline by the Alaska Bar Association, impeachment proceedings originating in the State Senate leading to possible removal from office, and possible criminal prosecution.

Aside from adherence to the judicial canons, justices and judges are also required to file detailed financial statements with the Alaska Public Offices Commission, as required by the Conflict of Interest Law.<sup>12</sup> The reporting requirements for the judicial branch are the same as those for senior members of the executive branch.

## **Commission on Judicial Conduct**

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The Commission on Judicial Conduct, formerly called the Commission on Judicial Qualifications, was created as a result of a 1968 amendment to the State Constitution and operates independent of the Alaska Court System.

As specified by AS 22.30.010, the Commission consists of nine members: three state court judges or justices elected by their peers; three lawyers, with at least ten years' experience, nominated by the Alaska Bar Association and appointed by the Governor; and three lay persons appointed by the Governor. The gubernatorial appointees are subject to confirmation by a majority of the members of the Legislature in a joint session.

The Commission is empowered to investigate complaints against state judges and justices or may itself instigate such investigations. It may refer matters to the Supreme Court with a recommendation that a judge be reprimanded, suspended, removed or retired from office or publicly or privately censured by the Supreme Court.

<sup>12</sup>. AS 39.50 *et seq.*

In 1987, the Commission reported receiving fifty enquiries and making eighty-five dispositions. Of those dispositions, four dated from 1983, three from 1984, sixteen from 1985, thirty-nine from 1986 and twenty-three from 1987. At the end of 1987, twenty-seven enquiries remained unresolved and two formal proceedings were carried over to 1988. The reason for any perceived laxity in complaint dispositions is the lack of full funding for the Commission.

# JUDICIAL SALARIES AND BENEFITS

## A. SALARIES

The current base salaries for justices and judges in the State Supreme, Appeals, Superior and District Courts have been in effect since 1985. They are as follows:

1. **Supreme Court Justice** .....\$85,728  
*equivalent to Step F, Range 30 of the salary schedule in AS 39.27.011(a) for Juneau.*
2. **Court of Appeals Judge** .....\$79,992  
*equivalent to Step E, Range 29 of the salary schedule in AS 39.27.011(a) for Juneau.*
3. **Superior Court Judge** .....\$77,304  
*equivalent to Step E, Range 28 of the salary schedule in AS 39.27.011(a) for Juneau.*
4. **District Court Judge**.....\$66,816  
*equivalent to Step C, Range 26 of the salary schedule in AS 39.27.011(a) for Juneau.*

Pursuant to Title 22 of the Alaska Statutes, performance requirements are made a condition for judicial compensation.<sup>33</sup> No salary warrant may be issued to any state justice or judge until he or she has filed an affidavit that no matter referred to him or her has been uncompleted or undecided for a period of more than six months.

In addition to base salary, justices and judges receive geographic cost of living adjustments similar to those received by other state employees except that judicial geographic cost of living adjustments use a base and 5 tiers rather than the base and 9 tiers used for state general government employees.<sup>34</sup>

By location, current judicial geographic cost of living adjustments are calculated as follows:

1. Base area — Anchorage .....34 judges  
(0%)           Juneau  
                  Ketchikan
2. Tier 1       — Wrangell-Petersburg .....4 judges  
(3.5%)         Palmer  
                  Sitka

<sup>33</sup>. Section 14, Chapter 50, SLA 1959; Section 30, Chapter 50, SLA 1959; Section 17, Chapter 184, SLA 1959; and Section 1, Chapter 12, SLA 1980.

<sup>34</sup>. Section 4, Chapter 80, SLA 1978.

3.	Tier 2 (7%)	— Kenai ..... Homer	2 judges
4.	Tier 3 (10.5%)	— Kodiak .....	1 judge
5.	Tier 4 (14%)	— Fairbanks .....	9 judges
6.	Tier 5 (17.5%)	— Kotzebue ..... Nome Barrow Bethel Valdez	5 judges

A number of proposals were promulgated during the 1988 legislative session which were designed to change the geographic cost of living adjustments for all state employees, none of which passed.

## **B. BENEFITS**

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Some of the employee benefits available to Alaska justices and judges are identical to those for state general government employees. In addition, benefits for district court judges are not always the same as those for justices and judges of the higher courts.

Benefits available to the Alaska judiciary which are different from those for general government employees include provisions for retirement, vacation leave, sick leave, leave without pay, administrative leave, leave of absence and unwritten provisions for training. Benefits which are the same for both members of the Alaska judiciary and general government employees include supplemental benefits, health insurance and military leave.

### **1. Retirement**

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All state justices and judges with at least five years of service and who are at least sixty years of age are entitled to a retirement benefit of five percent of the currently effective salary, excluding geographic cost of living adjustments, of the office from which the justice or judge retires, multiplied by the number of years of service up to a maximum of seventy-five percent of the current salary for that office. Justices or judges who retire at age fifty-five are entitled to an actuarially equivalent program.

Justices and judges in office on or since July 1, 1978 contribute seven percent of their salary to the retirement program for their first fifteen years of service. Justices and judges appointed before July 1, 1978, and those with more than fifteen years of service, make no contributions.

### **2. Supplemental Benefits**

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Judges also contribute 6.13 percent of their salary to Alaska's Supplemental Benefits System (SBS), with the State contributing an equal amount. The benefits available

to the judiciary under the SBS program are the same as those available to the executive branch.

### **3. Vacation Leave**

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Supreme court justices, court of appeals and superior court judges are entitled to an annual vacation of not more than thirty working days. No more than fifteen working days of unused vacation time in any one year or a total of no more than thirty working days can be accumulated. Requests for vacation leave of one week or more must be submitted to the chief justice or presiding judge of the respective court at least four months in advance.

District court judges and full-time magistrates have the same annual vacation entitlement as other state employees.<sup>35</sup> Senate Bill 285, introduced in 1987, attempted to make leave provisions for district court judges the same as other levels of the judiciary. However, the bill did not pass.

### **4. Sick Leave**

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Supreme court justices, court of appeals and superior court judges are entitled to unlimited sick leave except that maternity leave, although counted as sick leave, is limited to nine weeks unless there are extenuating medical circumstances.

District court judges and full-time magistrates have the same sick leave entitlement as other state employees.<sup>36</sup>

### **5. Leave Without Pay**

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Supreme court justices, court of appeals and superior court and district court judges may be granted leave without pay under the same conditions as other court system employees, namely if all annual leave has been utilized and more is needed. Periods of up to five working days without pay may be granted at the discretion of the chief justice or the presiding judge of the respective court. Leave without pay for more than five working days must also be approved by the administrative director of the court system.

### **6. Administrative Leave**

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In consultation with the presiding judge of the respective court, the Chief Justice of the Supreme Court may assign one or more justices, judges or magistrates to attend conferences, seminars or schools to further legal education or professional qualifications. Travel expenses and per diem may be provided. In addition, a justice, judge or magistrate not so assigned during a calendar year may receive administrative leave not to exceed five working days to attend conferences, seminars or schools when authorized by the administrative director. Administrative leave may not be accrued.

<sup>35</sup>. AS 39.20.200 — 39.20.330.

<sup>36</sup>. *Id.*

The Alaska Court System has no written regulations pertaining specifically to training. However, one training program which the Court System encourages justices and judges to attend is the National Judicial College in Reno, Nevada. Each year, the Court System attempts to send one-quarter of the members of the Alaska judiciary to this program, with the course for new judges taking three to four weeks and subsequent courses taking one to two weeks. The Court System reviews the course content to ensure its relevance. During the training period, justices and judges receive full salary and all benefits. The time taken counts as administrative leave.

## **7. Leave of Absence**

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Upon approval by the Supreme Court, a justice or judge may take a leave of absence without salary of up to one year to pursue "appropriate" activities such as formal educational programs for professional self-improvement or teaching at educational institutions. During any leave of absence, a justice or judge receives no salary and does not accrue vacation or personal leave. In addition, no payments into the retirement or supplemental benefits funds are made during the justice or judge's leave of absence, nor do retirement or supplemental benefits accrue. However, the Alaska Court System does continue to maintain the state group health care and basic life insurance benefits for the justice or judge and his dependents during the leave of absence period.

## **8. Health Insurance**

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Justices and judges are covered by the same basic health insurance plan which is available to other State employees. Like other state employees, they may also elect to receive additional health insurance coverage under the State's Supplemental Benefits System.

## **9. Sabbaticals**

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Alaska currently has no formal sabbatical program for members of the judiciary. Individual judges have been granted a one year leave of absence by the Supreme Court as discussed above in Section 7.

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# COMPARISON WITH OTHER STATES

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## A. SALARIES

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The National Center for State Courts conducts periodic surveys of judicial salaries. The most recent data available for state and federal court systems are current as of November 1988 and are shown in Table 10.

As indicated by Table 10, the salaries of Alaska Supreme Court justices ranked 11th among the states, and were also exceeded by the District of Columbia. Salaries of Alaska Court of Appeals judges ranked 14th among those states with separate appellate courts; while salaries of Alaska Superior Court judges ranked 14th among state general jurisdiction trial courts, and were also exceeded by the District of Columbia.

## B. BENEFITS

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The American Bar Association's Judicial Administration Division conducted a survey of judicial benefits in all 50 states plus the District of Columbia, Guam and Puerto Rico between November 1986 and October 1987. The data compiled generally reflect benefits as of early 1987.

The following "ideal" criteria were developed to serve as a means of evaluating and comparing the fringe benefits of the various judicial jurisdictions:

1. Judges who are at least age 65, with at least 15 years of service, should be eligible to receive a pension equal to 75 percent of the currently effective salary of the office from which he or she retired, thus, providing for COLA;
2. Judges should not have to contribute to the judicial retirement fund. The fund should be underwritten by the state;
3. Regardless of existing mandatory retirement laws, judges should be allowed, if deemed able, the opportunity to serve after retirement. Retired judges should be compensated for their actual hours of service at a rate equal to that paid to current sitting judges;
4. Judges who become permanently disabled while in service, and who have completed at least 2 years of judicial service, should be eligible to receive disability benefits, taking into consideration the judge's years of service, and the impact of the disability on his or her future earning capacity;

5. The surviving spouse and dependent children of a judge should be eligible to receive a benefit equal to 50 percent of the currently effective salary of the office held by the judge at the time of death, or from which the deceased judge retired;
6. The State should provide basic health and major medical insurance coverage for judges and their families, involving at most a \$100 deductible per person, and requiring minimal or no contributions by judges;
7. The State should provide basic dental coverage for judges and their families, involving at most a \$50 deductible per person, and requiring minimal or no contributions by judges;
8. State statutes should grant immunity to judges from liability for damages arising out of acts performed in the discharge of official duties which are not wanton, reckless or malicious;
9. The State should represent judges, or provide for reimbursement of fees of private counsel in such actions;
10. The State should pay any plaintiff's attorney fees assessed against judges in such actions;
11. The State should pay for attorney fees for judges involved in disciplinary or ethics proceedings;
12. Judges should be reimbursed for reasonable expenses incurred in attending educational conferences and in job-related travel; and
13. Judges should be authorized to take:
  - 20 vacation days per year;
  - 12 sick days per year;
  - 12 weeks of maternity leave;
  - 5 days, equalling 40 hours, of educational leave per year;
  - 10 holidays per year;
  - periodic paid sabbatical leave.

Tables 11, 12 and 13 summarize the results of the above survey. Although actuarial comparisons of judicial benefits in the various states are beyond the scope of this report, it is apparent that benefits available to Alaska judges are equal to, if not superior, to those of almost all other states. The only criteria which Alaska did not meet were contributions to the judicial retirement fund, survivor's benefits, the lack of a judicial immunity statute and provisions for sick leave, maternity leave and sabbatical leave.

## **C. COST OF LIVING**

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Cost of living differentials are another factor to be taken into account when comparing Alaska salaries or benefits with those in other states. This topic is covered in Appendix A and Tables 19, 20 and 21.

## COMPARISON WITH PRIVATE ATTORNEYS

Little reliable information is available on which to base comparisons of judicial salaries with those of private attorneys. A survey of Alaska attorneys proposed to be undertaken by the Alaska Judicial Council is still in the planning stage.

Altman & Weil, Inc., as reported in The 1988 Survey of Law Firm Economics, found the average 1987 income for lawyers in the Western states (excluding California) to be \$95,971. The same survey listed the average income for lawyers in California as \$101,762, Southwestern states as \$119,117, West Central states as \$96,437, East Central states as \$100,634, Southern states as \$93,293 and Northeastern states as \$89,031. It listed the average income for lawyers nationally as \$105,572.

Since judicial candidates are expected to have higher than "average" qualifications, Altman & Weil's findings for total compensation (a definition which includes salary, medical benefits, group insurance benefits, employer's share of social security, worker's compensation and unemployment compensation, and dividends paid by a professional corporation) received by law firm partners and shareholders based on years of experience were also reviewed. These findings can be summarized as follows:

Length of Service in Years	Total Compensation (Salary & Benefits)		
	All Firm Average	Calif. Average	West Average
31 — 35.....	\$183,815	\$204,407	\$171,426
26 — 30.....	182,113	174,408	159,768
21 — 25.....	168,958	193,375	153,193
16 — 20.....	153,262	155,271	151,736
11 — 15.....	127,710	141,040	125,320

Testimony before the Commission by senior partners in both large and small law firms practicing in Alaska indicated that the above figures were conservative in relation to what a successful, experienced lawyer in the private sector could expect to earn in this State.

In general, the Commission recognizes the following:

1. It is extremely difficult to obtain an accurate idea of the current salaries of attorneys in private practice in Alaska;
2. The salaries paid to the Alaska judiciary are seen as an impediment to some private attorneys who might otherwise be interested in a judicial career; and
3. The benefits accruing to those who do pursue a judicial career, particularly the provisions for retirement, may be an offsetting factor in some cases.

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# COMPARISON WITH OTHER STATE EMPLOYEES AND GOVERNMENT ATTORNEYS

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Alaska judicial salaries were compared with those of top officials in the state executive branch: the Governor, Lieutenant Governor, commissioners and selected officials in independent state agencies; the University of Alaska and Municipality of Anchorage officials.<sup>17</sup> They were also compared with those of Alaska-based federal district court judges, with federal, state and municipal attorneys, and with state administrative, legal and judicial officials.<sup>18</sup>

In addition to observations included in the analysis of executive branch salaries, the following conclusions were reached:

1. Alaska federal district court judges, who are not eligible to receive the federal Cost of Living Allowance (COLA), are paid annual salaries of \$89,500, some \$4,000 more than that received by a state supreme court justice. Furthermore, a state superior court judge receives over \$12,000 less than his federal district court counterpart although the position and responsibilities are similar.
2. Alaska-based federal claims court judges receive an annual salary approximately midway between that received by a state appeals court judge and a state supreme court justice while federal bankruptcy court judges and U.S. Magistrates receive salaries approximately midway between that received by a state district court judge and a state superior court judge.
3. Top federal attorneys based in Alaska are eligible to receive COLA. As a result, the U.S. Attorney and top legal officials in the Department of the Interior and the Department of Transportation each receive annual salaries greater than any member of the Alaska judiciary.

<sup>17</sup>. See Table 3.

<sup>18</sup>. See Table 14.

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# LEGISLATIVE HISTORY

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The following is an outline of the major legislative events since Statehood which have shaped and changed the Alaska judiciary. Statutes pertaining to the judicial branch are contained in Title 22 of the Alaska Statutes and the Alaska Court Rules.<sup>39</sup> It should be noted that changes in the number of district court judges are normally made by rule rather than legislative enactment. In addition, a history of changes in judicial and executive branch compensation is contained in Table 1 and a summary of the currently authorized number of justices and judges in the four state court divisions is shown in Table 5.

## CONSTITUTIONAL PROVISIONS

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1959 — Article IV of the State Constitution provides for a unified judicial system with judicial power to be “vested in a supreme court, a superior court and the courts established by the legislature”. The jurisdiction of the courts and boundaries of judicial districts were to be established by law.

The Supreme Court was to consist of three justices, one of whom was to serve as Chief Justice. The number of justices could be increased by law at the request of the Supreme Court.

The Superior Court was to consist of five judges. The number of judges could be increased by law.

In addition, the Constitution established the Alaska Judicial Council to solicit, screen and nominate applicants for vacant judgeships; to conduct studies for the improvement in the administration of justice; and to make reports and recommendations to the Legislature and the Supreme Court.

Other provisions relating to the judiciary, which are incorporated in the State Constitution, are those relating to minimum judicial qualifications; mandatory retirement at the age of 70, except for special assignments; judicial impeachment procedures; and restrictions on non-judicial activities of judges. Finally the Constitution specified that justices, judges and members of the Alaska Judicial Council shall be compensated as prescribed by law. However, the compensation of justices and judges cannot be diminished during their terms of office unless by general law applying to all salaried state officials.

<sup>39</sup>. Title 22 of the Alaska Statutes contains the following chapters: 05 — The Supreme Court; 07 — The Court of Appeals; 10 — The Superior Court; 15 — The District Courts; 20 — Officers and Employees; 25 — Retirement and Death Benefits; and 30 — Judicial Qualifications.

1968 — 2d FCCS SCS CSHJR 74:<sup>40</sup>

Provided for the disqualification, suspension, removal from office, retirement and censure of judges and justices; and provided for a Commission on Judicial Qualifications.

1970 — FCCS SCS CSHJR 11:<sup>41</sup>

Eliminated the separate appointment of the Chief Justice of the Supreme Court.

## LEGISLATIVE ENACTMENTS AND COURT RULES\_\_\_\_\_

1959 — Section 1, Chapter 50, SLA 1959 and Section 16, Chapter 50, SLA 1959:

Established and set qualifications and compensation for a three-member Supreme Court and an eightmember Superior Court:

- First judicial district..... 2 judges
- Second judicial district..... 1 judge
- Third judicial district ..... 3 judges
- Fourth judicial district..... 2 judges

In addition, the legislation required that in order for justices and judges to be issued salary warrants, they had to certify that no matters referred to them for opinion or decision were outstanding for more than 6 months.

— Section 1, Chapter 184, SLA 1959:

Established district magistrate courts in each of the four judicial districts of the Superior Court with limited jurisdiction in civil and criminal cases. Under this legislation, a total of 11 district magistrate positions were established:

- First judicial district..... 3
- Second judicial district..... 1
- Third judicial district ..... 4
- Fourth judicial district ..... 3

Provided for 53 deputy magistrates:

- First judicial district .....10
- Second judicial district ..... 7
- Third judicial district.....19
- Fourth judicial district .....17

In addition, the legislation imposed the same six month rule requirement for compensation of district court judges as required of supreme court justices and superior court judges.

The new law further provided that the number of district magistrates and deputy magistrates within each judicial district could be increased or decreased by rule of the Supreme Court.

<sup>40</sup>. The Constitutional provisions affected were Article IV, §§ 10 and 13.

<sup>41</sup>. Constitutional provisions affected were Article IV, §§ 182 and 16.

1962 — Section 1, Chapter 119, SLA 1962:

Amended Sec. 25(1), Chapter 50, SLA 1959 by increasing the number of superior court judges to 9, allocated as follows:

- First judicial district..... 2
- Second judicial district..... 1
- Third judicial district ..... 4
- Fourth judicial district ..... 2

The legislation became effective January 1, 1963.

1966 — Section 3, Chapter 24, SLA 1966:

Renamed the District Magistrate Court as the District Court and district magistrates as district judges.

Assigned district court judges by judicial district as follows:

- First judicial district ..... 3
- Second judicial district..... 1
- Third judicial district ..... 4
- Fourth judicial district ..... 2

1967 — Section 1, Chapter 83, SLA 1967:

Expanded the Supreme Court to 5 justices.

Expanded the Superior Court to 11 judges:

- First judicial district ..... 2
- Second judicial district..... 1
- Third judicial district ..... 6
- Fourth judicial district ..... 2

1968 — Section 1, Chapter 162, SLA 1968:

Related to the appointment of acting district court judges and established minimum qualifications for such acting appointees.

— Section 1, Chapter 164, SLA 1968:

Made district court judges subject to approval or rejection by the voters under the provisions of AS 22.15.170.

1970 — Section 1, Chapter 44, SLA 1970:

Expanded superior court to 16 judges:

- First judicial district ..... 3
- Second judicial district..... 1
- Third judicial district ..... 9
- Fourth judicial district ..... 3

The legislation became effective July 1, 1970.

**1972 — Section 1, Chapter 36, SLA 1972:**

Increased jurisdiction of district court from \$3,000 to \$10,000 in cases involving the recovery of money or damages; and to \$15,000 for the recovery of money or damages in motor vehicle tort cases exclusive of costs, interest and attorney fees.

The same legislation extended the civil and criminal jurisdiction of the district courts statewide.

**1975 — Section 1, Chapter 166, SLA 1975:**

Superior court expanded to 17 judges:

- First judicial district..... 3
- Second judicial district..... 1
- Third judicial district.....10
- Fourth judicial district..... 3

Legislation effective immediately.

**1976 — Section 1, Chapter 193, SLA 1976:**

Expanded superior court to 20 judges:

- First judicial district..... 4
- Second judicial district..... 1
- Third judicial district.....10
- Fourth judicial district..... 5

Upgraded Bethel district court judgeship in the Fourth judicial district to a superior court position.

Established two new superior court judgeships, one in the First judicial district at Sitka and one in the Fourth judicial district at Fairbanks.

Legislation effective immediately.

**1978 — Sections 2 and 4-8, Chapter 80, SLA 1978:**

Entitled judicial branch employees to receive a geographic cost of living adjustment to salaries equal to 3.5 percent of annual salary, times the number of pay step increases for a state employee working in the same election district where AS 39.27.020 specifies zero to five pay step increases.

In an election district where AS 39.27.020 specifies more than five pay steps, the number of pay step increases for judicial branch employees is limited to five.

Any retirement benefits to which justices or judges may be entitled are computed only on annual salary, for example pre-geographic cost of living adjustments.

**— Section 1, Chapter 23, SLA 1978:**

Increased small claims jurisdiction of district courts to \$2,000.

1980 — Section 1, Chapter 12, SLA 1980:

Established three member criminal Court of Appeals.

— Sections 5-9, Chapter 12, SLA 1980:

Changed residency requirement for supreme court justices and superior court judges from three to five years immediately prior to appointment.

— Section 12, Chapter 12, SLA 1980:

Changed qualifications of district court judges to specify residence in Alaska for at least five years immediately preceding appointment and to (1) have been engaged in the active practice of law for not less than three years immediately preceding appointment or (2) to have served at least seven years as a magistrate in the State of Alaska. The same legislation indicated that the Supreme Court may prescribe additional qualifications.

— Section 1, Chapter 34, SLA 1980:

Expanded superior court to 23 judges:

- First judicial district..... 4
- Second judicial district ..... 2
- Third judicial district.....12
- Fourth judicial district ..... 5

Legislation effective July 1, 1980.

— Alaska Court Rules

Changed Rule 19 of the Administrative Rules with respect to the number of district court judges and magistrates:

- First judicial district..... 3 judges and 12 magistrates
- Second judicial district..... 1 judge and 18 magistrates
- Third judicial district ..... 9 judges and 18 magistrates
- Fourth judicial district ..... 5 judges and 16 magistrates

1982 — Section 1, Chapter 70, SLA 1982:

Increased number of superior court judges from 23 to 26 through the upgrading of district court to superior court judgeships in the First judicial district at Wrangell-Petersburg and the Second judicial district at Barrow and the addition of one new superior court judgeship in the Third judicial district at Palmer. The new allocation of superior court judgeships by judicial district:

- First judicial district..... 5
- Second judicial district ..... 3
- Third judicial district.....13
- Fourth judicial district ..... 5

1983 — Section 1, Chapter 65, SLA 1983:

Expanded superior court to 27 judges, allocated as follows:

- First judicial district..... 5
- Second judicial district ..... 3
- Third judicial district.....14
- Fourth judicial district ..... 5

Legislation effective immediately.

1984 — Section 2, Chapter 137, SLA 1984:

Increased superior court to 29 judges with the following allocation:

- First judicial district..... 5
- Second judicial district ..... 3
- Third judicial district.....16
- Fourth judicial district ..... 5

Section 3 of the same legislation changed the number of district court judges to the following:

- First judicial district..... 3
- Second judicial district..... 1
- Third judicial district.....12
- Fourth judicial district ..... 4

— Sections 77-78, Chapter 6, SLA 1984:

Restated the composition and general powers of the Supreme Court and the jurisdiction of the Superior Court.

— Alaska Court Rules

Changed Rule 19 of the Administrative Rules with respect to the number of district court judges and magistrates.

- First judicial district..... 2 judges and 12 magistrates
- Second judicial district ..... 0 judges and 18 magistrates
- Third judicial district.....11 judges and 18 magistrates
- Fourth judicial district ..... 4 judges and 16 magistrates

1985 — Section 3, Chapter 17, SLA 1985:

Increased jurisdiction of the district court to \$25,000 for all types of civil cases. All types of actions within these monetary limits required to be filed in District Court except where provided by Supreme Court rule.

Gave district court authorization over domestic violence cases.

1987 — Section 7, Chapter 38, SLA 1987:

Increased civil jurisdiction of the district court to \$35,000.

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# RECOMMENDATIONS

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## A. THE BASE SALARIES

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The Commission makes the following salary recommendations for the judicial branch:

Chief Justice, Supreme Court .....	\$100,000 per year
Supreme Court Justices .....	\$ 99,500 per year
Appeals Court Judges .....	\$ 94,000 per year
Superior Court Judges.....	\$ 92,000 per year
District Court Judges .....	\$ 78,000 per year

The Commission also makes the following recommendations:

1. **Sabbatical Leave:** Leave of absence provisions should be revised to include provision for up to one year of sabbatical leave for justices and judges at one-half salary. Eligibility for sabbaticals should accrue after 7 years of service with a requirement for a minimum of 2 years of service following a sabbatical. The Commission believes that the specific criteria for sabbaticals should be left to the discretion of the Chief Justice and the Supreme Court.
2. **Maternity Leave:** Justices and judges should be allowed 12 weeks of maternity leave for the same reasons set forth in the section on executive salary recommendations.
3. **Other Leave:** The Chief Justice and the Supreme Court should review current leave policies which include vacation leave, sick leave, leave without pay, administrative leave and leave of absence, and establish a more cohesive leave policy for all justices and judges.
4. **Geographic Cost of Living Adjustments:** The current cost of living adjustment system, as it applies to the judiciary, should be modified as follows:

0 percent:	Anchorage, Juneau, Ketchikan, Wrangell-Petersburg, Sitka, Palmer, Kenai and Homer
3.5 percent:	Fairbanks
10.5 percent:	Kodiak, Valdez
17.5 percent:	Kotzebue, Nome, Barrow and Bethel

Furthermore, it is the Commission's recommendation that the foregoing percentages be applied only to the first \$40,000 of base salary, representing the basic cost of food, shelter and associated amenities.<sup>42</sup>

5. **District Court Legislation.** Legislation should be enacted to bring the benefits accruing to district court judges in line with those of other members of the state judiciary.

The Commission also observed that a number of district court judges are acting as superior court judges. It is the Commission's recommendation that, when district court judges act in the capacity of superior court judges, they should be paid as such and that the Alaska Court System should provide for the added expense in its budget.

6. **Administrative Director of Court System and Deputy.** The salary of the Administrative Director should be no more than the base salary of a superior court judge and should be increased only when the salaries of superior court judges are increased.

The salary of the Deputy Administrative Director should be no more than that of deputy commissioners in the executive branch and should be increased only when the salaries of deputy commissioners are increased.<sup>43</sup>

## **B. RATIONALE**

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As the Appendices indicate, the Commission made an extensive study of the subject of judicial compensation. In doing so it discovered that, while the Alaska judiciary, in 1984, was ranked first in the nation with respect to base salary amounts, by November of 1986, it had fallen to fifth position and, as of this date, it is ranked at the following levels:

Supreme Court .....	Eleventh
Court of Appeals .....	Fourteenth
Superior Court .....	Fourteenth <sup>44</sup>

- <sup>42</sup> The Commission also supports the changes which have been proposed with respect to all other state government employees. In this regard, the Commission agrees with the Opinion and Decision of Arbitrator In Arbitration Between Alaska Public Employees Association and State of Alaska, October 20, 1986.
- <sup>43</sup> The Commission recognizes that the salaries of the Administrative Director and the Deputy Administrative Director are without the scope of its legislative mandate. However, it was the consensus of the Commissioners that such personnel should not, under any circumstances, be paid salaries which are higher than that of superior and appellate court judges, not to mention higher than the Governor of the State of Alaska. In the event that the proposed judicial salaries are not enacted or are enacted at a lower level, the salaries of the administrative director and the deputy administrative director should remain frozen until such time as they reach parity with superior court judges and deputy commissioners respectively.
- <sup>44</sup> Table 10. No comparisons could be made with respect to the district court level because of the dramatic variations in jurisdiction of those courts from state to state. However, it is worthy of note that Alaska's district court judges have a broader, more extensive jurisdiction than most similar courts.

Moreover, the Alaskan position will suffer further erosion when pay raises already approved in Connecticut, Idaho, Kentucky, Minnesota, Mississippi, Nebraska and Tennessee become effective in 1989 and 1990.

The Commission further recognized, as it did with respect to executive salaries, that inflation has eroded judicial compensation. From 1985 to July 1988 alone, the Anchorage Consumer Price Index has risen 7.1 percent.

In addition, the testimony presented to the Commission made it clear that the gap between income earned by private attorneys and the salaries of the judiciary was continuing to grow. Most alarming was evidence that the most highly qualified private practitioners were not applying for the bench because of the great disparity in salaries and the fact that experienced members of the judiciary were leaving public service to return to private practice. It is further noted that the trend perceived by the Commission is one of nationwide proportions. Given the foregoing, and in the interests of preserving an experienced, well qualified judiciary, the Commission had little hesitation in making its salary recommendations.

With respect to the recommendation for a formal sabbatical leave policy, the Commission noted that several factors support it, not the least of which are the incentive which it provides for qualified persons both to seek judicial appointment and to remain in such a position and the necessity to minimize the stress which is a natural outgrowth of the position.<sup>46</sup>

Sabbatical leaves are more and more being viewed as a method both of additional compensation and of ensuring a healthy, permanent judiciary. Thus, in 1988, at its midwinter meeting, the House of Delegates of the American Bar Association overwhelmingly voted in favor of a resolution urging that the states adopt programs providing for sabbaticals.

The Commission believes that such a program will prove beneficial to Alaska's judiciary and hence should be adopted.

<sup>45</sup>. The court system contends that, with appropriate cost of living adjustments, "supreme court salaries rank 37th of the 45 states which can be ranked by available cost of living indices in 1988. Similarly, court of appeals salaries rank 33rd of 35 ranked states and superior court salaries rank 33rd of 45 ranked states in 1986." *Judicial Salary Paper* at 9 (October, 1988).

<sup>46</sup>. Robbins, *Has The Time Come for Judicial Sabbaticals?*, 71 *Judicature*, No. 6 at 306 (1988).

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LEGISLATIVE  
BRANCH

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# LEGISLATIVE BRANCH ORGANIZATION

1988

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President of Senate



Senate  
(20 members)



Committees

Speaker



House  
(40 members)



Committees

Legislative Affairs Agency

Office of the Ombudsman

# INTRODUCTION

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The Alaska State Officers' Compensation Commission last submitted its recommendations for compensation of the legislative branch on April 6, 1987. The findings and recommendations contained in this Report should be viewed as a supplement to the earlier Report, together with an update of previously submitted information.

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# QUALIFICATIONS FOR OFFICE

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The general qualifications for office for legislators are set out in the Alaska Constitution and the Alaska Statutes.

## A. LEGISLATIVE REQUIREMENTS

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As required by the State Constitution and the Alaska Statutes, the following minimum qualifications must be met by members of the Alaska Legislature:

1. Be at least 25 years of age in order to run for the Senate;
2. Be at least 21 years of age in order to run for the House;
3. Be a qualified voter of the State; and
4. Have been a resident of Alaska for at least three years and of the district from which elected for at least one year, immediately preceding his or her filing for office.

Article II, Section 1 of the Alaska Constitution sets the Senate membership at twenty and that for the House of Representatives at forty. Article VI of the Constitution provides for periodic legislative reapportionment.

## B. OTHER REQUIREMENTS

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In addition to these basic minimum qualifications, the legislative candidates must run successfully in both primary and general elections. Further, the legislator must be re-elected in order to retain the position.

# LEGISLATIVE BRANCH RESPONSIBILITIES

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## A. DIVISION OF RESPONSIBILITY

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As provided by Article II of the Alaska Constitution, the legislative power of the State is vested in a bicameral legislature which consists of a twenty member Senate and a forty member House of Representatives.

The term of Representatives is two years and that of Senators is four. The terms of Senators are staggered so that half are elected every two years. When a vacancy in the Legislature occurs, the Governor appoints a member to serve for the remainder of the unexpired term.

The Legislature meets each year. By virtue of a 1984 constitutional amendment, regular sessions may not exceed 120 consecutive calendar days. An extension of the regular session requires the affirmative vote of at least two-thirds of the membership of each House of the legislature. Special sessions may be called by the Governor or by vote of two-thirds of the Legislature.

# RESTRICTIONS ON ACTIVITIES OF LEGISLATIVE BRANCH

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Article II, Section 5 of the Alaska Constitution provides that no legislator may hold any other office or position of profit in federal or state governments. The same Section also prohibits legislators from taking other posts for which they have voted salary increases. Section 5 is quoted as follows:

“No legislator may hold any other office or position of profit under the United States or the State. During the term for which elected and for one year thereafter, no legislator may be nominated, elected, or appointed to any other office or position of profit which has been created, or the salary or emoluments of which have been increased, while he was a member. This section shall not prevent any person from seeking or holding the office of governor, secretary of state, or member of Congress. This section shall not apply to employment by or election to a constitutional convention.”

As elected officials, the activities of legislators routinely receive close public scrutiny. In addition, details relating to personal finances and campaign contributions are required to be disclosed in financial reports filed with the Alaska Public Offices Commission. The filing requirements for legislators parallel those of senior members of the executive branch and justices and judges, which have been more fully discussed earlier in this Report.

Another restriction on the activities of legislators is the need to spend almost one-third of each year in Juneau, the State capital, necessitating the maintenance of two households. In addition, most legislators have careers in their home areas which they put aside when the legislature is in session, a situation which is difficult. Furthermore, although legislators participate in the State retirement program, they will not realize benefits from that system unless they have either previously accrued time in the system or are successful in being re-elected.

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# LEGISLATIVE BRANCH SALARIES AND BENEFITS

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Alaska state legislators receive a relatively modest base salary.<sup>47</sup> However, in addition to the same benefits as those available to general government employees, legislators receive allowances for per diem while the legislature is in session, plus moving time, and while undertaking committee or other legislative business when the legislature is not in session. Legislators also receive a flat office expense allowance and may or may not be reimbursed for travel expenses to and from their home districts.

## A. SALARIES

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The current base salary for state legislators is \$22,140 per year. This is equivalent to Step A, Range 10 of the state salary schedule for Juneau.

In addition to base salary, the presiding officer in each house of the Legislature receives an annual \$500 honorarium.

## B. SESSION PER DIEM (Short Term and Long Term)

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Legislators are entitled to receive per diem at the same rate allowed for a state employee under AS 39.20.110 and 39.20.160, including regional variations in the rate where applicable.

Legislators are entitled to receive per diem at the **short-term** rate of \$80 per day during a legislative session if they are not living at their permanent place of residence; and while on committee business or other legislative business in a place that is not their permanent place of residence; i.e. a minimum of \$9,600 per year.<sup>48</sup>

Legislators are entitled to receive per diem at the **long-term** rate of \$60 per day during a legislative session if they are living at their place of permanent residence; and while engaged in committee business or other legislative business at their place of permanent residence; i.e. a minimum of \$7,200 per year.<sup>49</sup>

## C. MOVING PER DIEM

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Legislators may also collect per diem, plus an allowance for spouses and dependents, for "moving in" and "moving out" time immediately before and after the legislative

<sup>47</sup>. See Tables 15 and 16.

<sup>48</sup>. The session length of 120 days times \$80 per day.

<sup>49</sup>. The session length of 120 days times \$60 per day.

session. According to current session moving and travel policies, moving per diem is calculated as follows:

"A standard per diem for the legislator, half of the standard per diem for his or her spouse, and an eighteen dollar (\$18) per day per diem for each of his or her dependents while en route, up to a maximum of 5 days per person. Additionally, (a) upon arrival at the capital for the first session of a legislature, a legislator, or his or her spouse, and dependents are entitled to per diem at the same rate as per diem while en route for not more than ten (10) days while looking for housing; (b) upon arrival at the capital for the second session of a legislature, a legislator, his or her spouse, and dependents are entitled to per diem at the same rate as per diem while en route for not more than five (5) days while looking for housing; and (c) at the end of every legislative session, a legislator, his or her spouse, and dependents are entitled to per diem at the same rate as per diem while en route for a period not to exceed five (5) days."

#### **D. OFFICE ALLOWANCE**

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Each legislator receives a check in the amount of \$4,000 at the beginning of the legislative session which may be used for stationery, postage, stenographic services and other expenses at the discretion of the individual.

#### **E. TRAVEL**

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Travel on committee business is paid out of the pertinent committee budget. In addition, the leadership in each House has funds which may be used to pay for a legislator's travel on approval of the presiding officer. However, many Legislators either use personal funds or use the \$4,000 office allowance for travel to their home districts. Finally, travel to and from Juneau at the beginning and end of each legislative session is paid for all legislators as well as their spouses and dependents.

#### **F. BENEFITS**

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Currently, legislators receive the same health insurance and supplemental benefits as commissioners and other state employees. They may also participate in the Public Employees Retirement System.

#### **G. LEAVE**

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Legislators are not subject to regulations relating to hours of employment, annual leave, sick leave, overtime and compensatory time. However, if a legislator wants to be excused during the legislative session, he or she must first obtain permission from either the President of the Senate or the Speaker of the House.

# COMPARISONS

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In 1987, the State Officers' Compensation Commission reviewed three different methods of comparison often used to assist in developing recommended compensation levels. These methods and the Commission's conclusion as to their relevance are described below.

## A. COMPARISON WITH OTHER STATES

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The states with the highest compensation levels generally have legislatures which meet year-round. For the other states, compensation levels fluctuated widely. The Commission found that the variation among the states precluded it from drawing any meaningful conclusions.

## B. COMPARISON WITH PRIVATE SECTOR

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The Commission found that the part-time status of legislative service, and its public service aspects, precluded meaningful comparison with positions of similar responsibility in the private sector. The Commission recognized that a very high level of responsibility is inherent in legislative service. However, unlike other highly responsible positions, legislators are not required to show years of experience, degree of expertise or prior accomplishments in a related field.

## C. COMPARISON WITH STATE EMPLOYEES

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The Commission considered the argument that legislators should not receive less compensation than do their staff but determined that such an argument was not relevant since the Legislature itself sets staff salaries.

## D. COST OF LIVING

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Cost of living differentials are another factor to be taken into account when comparing Alaska salaries/benefits with those in other states. This topic is covered in Appendix A and Tables 19, 20 and 21.

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# LEGISLATIVE HISTORY

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The following is an outline of the major legislative events since Statehood which have shaped and changed the Alaska legislative branch. The basic character of this branch was established by the Alaska Constitution. Changes since that time have been enacted through state statutes.

## CONSTITUTIONAL PROVISIONS

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1959 — Article II of the State Constitution, as amended, contains provisions which outline legislative power; membership; qualifications for office; terms of office; the filling of vacancies; disqualification from office; immunity; salary and expenses; the length and timing of legislative sessions; special sessions; adjournment; interim committees; rules; the form and passage of bills; vetoes; and impeachment. Specifically, the Constitution contains the following provisions of relevance to this Report:

The legislative power of the State is vested in a Legislature consisting of a Senate with a membership of twenty and a House of Representatives with a membership of forty. (Section 1).

A member of the Legislature shall be a qualified voter who has been a resident of Alaska for at least three years and of the district from which elected for at least one year immediately preceding his or her filing for office. A senator shall be at least 25 years of age and a representative at least 21 years of age. (Section 2).

Legislators shall be elected at general elections. Their terms begin on the fourth Monday of the January following election unless otherwise provided by law. The term of representatives shall be two years, and the term of senators, four years. One-half of the senators shall be elected every two years. (Section 3).

A vacancy in the Legislature shall be filled for the unexpired term as provided by law. If no provision is made, the Governor shall fill the vacancy by appointment. (Section 4).

Legislators shall receive annual salaries. They may receive a per diem allowance for expenses while in session and are entitled to travel expenses going to and from sessions. Presiding officers may receive additional compensation. (Section 7).

There shall be a Legislative Council, and the Legislature may establish other interim committees. The Council and other interim committees may meet between legislative sessions. They may perform duties and employ personnel as

provided by the Legislature. Their members may receive an allowance for expenses while performing their duties. (Section 11).

1983 — **SCS CS HJR 2 [Rules]:**

Limited the length of a regular legislative session to not more than 120 days, effective December 30, 1984.

## **LEGISLATIVE ENACTMENTS, REFERENDUMS, INITIATIVES AND REPORTS**

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1959 — Set the annual salary of legislators at \$3,000, plus \$40 per day of per diem to cover expenses incurred during the legislative session.

1961 — **Section 2, Chapter 26, SLA 1961:**

Lowered the annual salary of legislators to \$2,500; provided for an annual office allowance of \$300; and set two per diem rates, \$25 per day for legislators who lived permanently in Juneau and \$35 per day for all others.

The office allowance was allocated in a lump sum to each legislator for postage, stationery, stenographic services and other expenses. The expenses were not vouchered and the allowance was reported to the U.S. Internal Revenue Service as income.

1966 — **Section 1, Chapter 149, SLA 1966:**

Increased the annual salary of legislators to \$6,000.

1970 — **Section 9, Chapter 193, SLA 1970:**

Raised the annual salary of legislators to \$9,000 and increased the annual office allowance to \$4,000.

Per diem was set at \$35 per day for all legislators but could be claimed only for the first 90 days of the legislative session, plus travel to and from Juneau and settling-in time.

1976 — **Section 6, Chapter 148, and Section 7, Chapter 263, SLA 1976:**

Increased legislative salaries to \$14,720 and, for the first time, were tied to the state pay scale.<sup>10</sup>

Session per diem was increased to \$48 per day for all legislators except those from Juneau whose per diem rate remained at \$35 per day during the session.

The legislation also created a retirement system designed specifically for elected officers entitled the Elected Officers' Retirement System (EPORS) which had more generous provisions than did the Public Employees' Retirement System (PERS).

— **State Referendum**

Voters rejected the legislative pay raise which had the effect of reducing legislative salaries to \$9,000 per year.

<sup>10</sup>. Thirty-three percent of Range 28, Step A.

The Alaska Supreme Court subsequently ruled that the new retirement system (EPORS) could not be repealed for those legislators already participating in the system.

**1977 — Alaska Salary Commission Report**

Recommended that legislative salaries be raised to \$11,750 per year. The Legislature adopted this salary recommendation but failed to adopt other recommendations which proposed a vouchered accounting system for office allowances and a two tier system for per diem which provided for a lower rate after 100 days of a session had elapsed.

**1979 — Alaska Salary Commission Report**

Recommended that legislative salaries be raised to \$12,690 with adjustments to reflect cost of living increases. The House passed a bill essentially adopting the Commission's recommendations but the Senate version, which was adopted, provided for a significantly higher legislative salary.

**1980 — Sections 14 and 28, Chapter 3, SLA 1980:**

Abolished the Alaska Salary Commission. The same legislation approved three separate pay rates for legislators as follows:

- salary for 1979 was retroactively increased to \$15,000 for the full year;
- an increase of \$17,280 per year was retroactively approved to January 1, 1980;
- an annual salary of \$18,768 was set for 1981.<sup>41</sup>

Future legislative salaries would increase in tandem with increases authorized for that level on the state pay scale.

**1983 — Section 2, Chapter 83, SLA 1983:**

Eliminated per diem and raised the base salary for legislators to Step A, Range 22 of the state pay scale, effective June 21, 1983. This had the effect of increasing legislative salaries to \$46,800 per year.

**1984 — Ballot Initiative Petition:**

A petition drive was launched to place the issue of legislative compensation on the 1986 general election ballot.

**1985 — Section 1, Chapter 87, SLA 1985:**

Removed legislators' salaries from the state pay scale and froze legislative compensation at \$46,800 per year.

**1986 — Chapter 124, SLA 1986:**

Created the State Officers' Compensation Commission to review and recommend compensation for the legislative, judicial and executive branches of government.

The same legislation set the base salary for legislators at Step A, Range 10 of the State pay scale, \$22,140, and reinstated per diem at \$80 per day, effective January 1987.

<sup>41</sup> This was equal to Step A, Range 10 of the state pay scale.

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# RECOMMENDATIONS

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## A. THE BASE SALARIES

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The Commission makes the following salary recommendations for the legislative branch:

President of the Senate.....	\$40,500 per year
Speaker of the House.....	\$40,500 per year
All other Legislators .....	\$40,000 per year

The Commission also makes the following recommendations:

1. **Interim Per Diem.** When the legislature is not in session, legislators should be paid per diem only for bona fide legislative business requiring overnight travel.
2. **Per Diem Rates.** The Department of Administration should review per diem rates paid to all State employees. The Commission believes that current per diem rates are too low to adequately cover reasonable lodging and meal expenses in most Alaska towns and cities.
3. **Office Allowances.** The present lump-sum distribution for legislative office expenses should be eliminated. An account system should be instituted in the Legislative Affairs Agency whereby each legislator could "charge" up to \$4,000 for stationery, printing, postage and office equipment.
4. **Travel.** The Commission considers that, in order to maintain constituent contact, each legislator should be reimbursed for two round-trip visits to his or her home district during the legislative session.
5. **Benefits.** The Commission recommends that the current system of retirement and other legislative benefits be retained.

## B. RATIONALE

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Since much of the rationale for the foregoing recommendations is already contained in the Commission's 1987 Report, it will not be reiterated. However, some supplementary comments are in order.

With respect to the recommended legislative salary issue, the Commission concluded that salaries for the three co-equal branches of state government should bear some equivalence. Thus, having determined that the salaries of the Governor of the State of Alaska and its Chief Justice should both be \$100,000 per year, an attempt was made to equate those full-time salaries with the part-time service rendered by legislators.

The \$40,000 figure was derived from a recognition that, for a 120 day session,

a salary equivalent to the chief executive would be approximately \$30,000. The Commission further recognized that legislators should also be compensated for work performed when the Legislature is not in session. As a review of Tables 17 and 18 indicate, long term per diem ranged from a low of zero dollars to a high of \$6,450 in 1987 and from zero to \$8,350 in 1988.

As Table 17 demonstrates, the recommendation with respect to legislative salaries is on par with what some members were in fact paid when wages, long term per diem and session per diem are combined. What is achieved with the flat figure is not only recognition of the true extent of legislative salaries but also parity among all members of the legislative branch.

Further, as with the Chief Justice, the respective leaders of the legislative branch, namely the President of the Senate and the Speaker of the House of Representatives, were accorded an honorarium in recognition of their leadership roles.

In conformity with the previous recommendations of the Commission, the foregoing salary figures are supported on the condition that no per diem be paid except for bona fide legislative business requiring overnight travel. As it observed in 1987, the Commission considers that

“present procedures allow the use of interim per diem as a salary supplement rather than as an expense reimbursement, especially when per diem is collected for work in legislators’ home towns. Current statutes are so loosely worded that, at least in theory, legislators may collect per diem for one hour’s work spent writing to constituents. The point of per diem is to cover the expenses of travel required by work. It should be so limited.

The policies and procedures for claiming per diem should reflect accountability for expenditures, and all claims and collections should be well documented. Controls on, and accountability of per diem should apply equally, whether the per diem is charged against a legislative committee budget or against leadership funds.”<sup>2</sup>

Since that conclusion, rendered in 1987, the Commission has received evidence which more than adequately supports it.

At the Commission’s request, the Legislative Affairs Agency prepared a report detailing the compensation received by legislators during calendar year 1987. That report is appended hereto as Table 17. As it reveals, in no case was session per diem limited to \$9,600.

Furthermore, moving per diem ranged from a low of zero to a high of \$4,902 while per diem earned while legislators were in their home offices, ranged likewise from a low of zero to a high of \$6,450. The differences in moving travel were zero to \$1,334 and the differences in moving mileage ranged from zero to \$887. Out of session, in district travel, categorized as long term travel and long term mileage, likewise ranged from a low of zero to a high of \$2,807.75. As a result of such

<sup>2</sup>. 1987 Final Report, State Officers’ Compensation Commission at 18 (April 6, 1987).

disparities, total legislative compensation ranged from \$35,738.04 to \$55,068.40, a difference of some \$20,000.

A similar report was reviewed for calendar year 1988. It reveals that total legislative compensation ranged from a low of \$34,725 to a high of \$56,569, a difference of almost \$22,000. In 1988, all legislators received the same base salary, office allowance and, allowing for different allowances paid to Juneau-based legislators, the same session per diem. Moving per diem ranged from zero to \$3,018, long term per diem ranged from zero to \$8,350, and short term expenses/per diem ranged from zero to \$11,576. Even given the disparate moving and travel expenses associated with movement throughout Alaska, it is hard to justify such disparity in compensation.

The Commission believes that the retirement and benefits system should be reviewed in depth. While the Commission did at least approach the subject, it is not equipped to make an in depth study either in terms of staffing or financial resources.

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APPENDIX  
A

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# COST OF LIVING

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There are several comparative cost of living measurements available, each with strengths and weaknesses.

The only measure of change in costs over time for Alaska is provided by the Anchorage consumer price index produced by the U.S. Department of Labor, Bureau of Labor Statistics.<sup>33</sup> In addition, the American Chamber of Commerce Researchers Association (ACCRA) gathers price data for close to 250 cities throughout the United States and compiles them into an Inter-City Cost of Living Index.<sup>34</sup> ACCRA data for Alaska are somewhat suspect since they are not collected in a consistent manner. Furthermore, the ACCRA index does not include state and local taxes which are a relatively minor element in metropolitan areas. Nevertheless, the index does provide some indication of relative living costs among U.S. cities.

A review of changes in the consumer price index for Anchorage, Seattle and the U.S. indicates that consumer prices have generally risen more slowly in Anchorage than "Outside." Thus, while costs here are still high, the differential between Alaska and the remainder of the country is considerably less than it once was.

An analysis of per capita income by state was also undertaken as a measure of Alaska's position relative to other states. According to data developed by the U.S. Bureau of Economic Analysis, Alaska ranked fifth nationally in 1987 after Connecticut, New Jersey, Massachusetts and New York. Per capita income for Alaska in 1987 was virtually unchanged from 1986, reflecting the State's relatively depressed economic condition, but nevertheless was 117 percent of the national average.<sup>35</sup>

However, no firm conclusion could be reached as to the percentage by which Alaska salaries should be adjusted to reach parity with those of their continental counterparts. The Commission could only conclude, from the resources available to it, that the federal COLA system, which makes a 25 percent adjustment, is not an accurate reflection of the disparity. Indeed, it would appear to be exceedingly high.

<sup>33</sup>. See Table 19.

<sup>34</sup>. See Table 20.

<sup>35</sup>. See Table 21.

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APPENDIX  
B

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TABLE 1

## LEGISLATIVE HISTORY

# ALASKA EXECUTIVE AND JUDICIAL BRANCH BASE SALARIES

Year	Executive Branch			Judicial Branch				
	Governor	Lt. Governor	Commissioners	Supreme Court Chief Justice	Supreme Court	Appeals Court	Superior Court	District Court
1959	\$25,000	\$18,000	\$12,000-\$17,000	\$23,500	\$22,500	<sup>2</sup>	\$19,000	\$10,000 <sup>1</sup>
1965	27,500	21,000	20,000	25,500	24,500	<sup>2</sup>	21,000	12,960 <sup>1</sup>
1967		24,500	23,600	27,000	26,000	<sup>2</sup>	23,000	17,500 <sup>1</sup>
1969	32,000	28,500	27,500	30,000	28,000	<sup>2</sup>	26,500	19,000
1970	40,000	36,000	33,000	<sup>2</sup>	36,000	<sup>2</sup>	33,000	25,000
1974	50,000	44,000	40,000	<sup>2</sup>	44,000	<sup>2</sup>	40,000	33,500
1975				<sup>2</sup>	44,942	<sup>2</sup>	41,197	34,830
1976			48,576	<sup>2</sup>	52,992	<sup>2</sup>	48,576	41,068
1979	65,000	58,500	57,500	<sup>2</sup>	55,000	<sup>2</sup>	57,500	49,000
1980	70,068	65,352	63,120	<sup>2</sup>	70,068	\$65,352	63,120	54,480
1982	77,760 <sup>3</sup>	72,564 <sup>3</sup>	70,116	<sup>2</sup>	77,760	72,564	70,116	60,600
1983	81,648	76,188	73,620	<sup>2</sup>	81,648	76,188	73,620	63,636
1985	<sup>4</sup>	<sup>4</sup>	77,304	<sup>2</sup>	85,728	79,992	77,304	66,816

<sup>1</sup> Maximum salary.

<sup>2</sup> Appeals Court created in 1980. Permanent Supreme Court Chief Justice position eliminated in 1970.

<sup>3</sup> Salary effective December 1982.

<sup>4</sup> Salaries of Governor and Lieutenant Governor frozen by Legislature.

Sources: Alaska Court System.

Alaska Statutes— Chapter 50, SLA 1959; Chapter 105, SLA 1959; Chapter 184 SLA 1959; Chapter 128, SLA 1962; Chapter 115, SLA 1965; Chapter 156, SLA 1966; Chapter 83, SLA 1967; Chapter 123, SLA 1967; Chapter 101, SLA 1969; Chapter 193, SLA 1970; Chapter 71, SLA 1972; Chapter 34, SLA 1974; Chapter 205, SLA 1975; Chapter 148, SLA 1976; Chapter 263, SLA 1976; Chapter 80, SLA 1978; Chapter 3, SLA 1980; Chapter 50, SLA 1982; Chapter 83, SLA 1983; Chapter 87, SLA 1985.

TABLE 2  
**COMPARISON OF  
 STATE GOVERNORS SALARIES**

JULY 1988

Rank	State	Annual Salary	Rank	State	Annual Salary
28	Alabama .....	\$ 70,223	49	Montana .....	50,452
19	Alaska .....	81,648	47	Nebraska .....	58,000
24	Arizona .....	75,000	23	Nevada .....	77,500
50	Arkansas .....	35,000	37	New Hampshire .....	68,005
11	California .....	85,000	11	New Jersey .....	85,000
29	Colorado .....	70,000	42	New Mexico .....	63,000
22	Connecticut .....	78,000	1	New York .....	130,000 <sup>1</sup>
29	Delaware .....	70,000	2	North Carolina .....	105,000
4	Florida .....	98,905	44	North Dakota .....	60,886
9	Georgia .....	86,706	40	Ohio .....	65,000
21	Hawaii .....	80,000	29	Oklahoma .....	70,000
48	Idaho .....	55,000	24	Oregon .....	75,000
7	Illinois .....	93,266	11	Pennsylvania .....	85,000
39	Indiana .....	65,988	35	Rhode Island .....	69,900
29	Iowa .....	70,000	18	South Carolina .....	83,232
38	Kansas .....	66,950 <sup>1</sup>	46	South Dakota .....	59,051
36	Kentucky .....	68,364	11	Tennessee .....	85,000
26	Louisiana .....	73,440	8	Texas .....	91,600
29	Maine .....	70,000	45	Utah .....	60,000
11	Maryland .....	85,000	41	Vermont .....	63,606
11	Massachusetts .....	85,000	11	Virginia .....	85,000
3	Michigan .....	100,077	6	Washington .....	93,900
5	Minnesota .....	94,204	27	West Virginia .....	72,000
42	Mississippi .....	63,000	10	Wisconsin .....	86,149
20	Missouri .....	81,000	29	Wyoming .....	70,000

<sup>1</sup> Official salary not fully taken by current incumbent.

Source: Alaska State Officers' Compensation Commission survey, July 1988.

TABLE 3  
**COMPARISON OF ANNUAL SALARIES  
 SENIOR ALASKA STATE OFFICIALS**

1987

<b>Elected State Executives</b>	Governor.....\$ 81,648
	Lieutenant Governor ..... 76,188
<b>Appointed State Executives</b>	Commissioners (28E).....\$ 77,304
<b>Independent State Agencies</b>	
Alaska Housing Finance Corp.	Executive Director (28F) .....\$ 79,992
Alaska Industrial Dev. Auth.	Executive Director (28E)..... 77,304
Alaska Munic. Bond Bank Auth.	Executive Director (28D) ..... 74,472
Alaska Permanent Fund Corp.	Executive Director..... 92,212
Alaska Permanent Fund Corp.	Comptroller..... 86,700
Alaska Power Authority	Executive Officer (29F) ..... 82,812
Alaska Public Utilities Commiss.	Executive Director (26D) ..... 69,276
Alaska Public Utilities Commiss.	Commissioners (26C)..... 66,816
Alaska Railroad Corporation	Chief Executive Officer ..... 125,000
Alaska Seafood Marketing Inst.	Executive Director (26B)..... 64,620
Alaska State Building Authority	Executive Director (28C) ..... 71,880
Alcoholic Beverage Control Board	Director (26J) ..... 77,268
Commercial Fisheries Entry Comm.	Commissioner (26C)..... 66,816
Oil and Gas Conservation Commiss.	Chairman/Commissioner (27E) ..... 74,472
Oil and Gas Conservation Commiss.	Commissioner (27D)..... 71,880
Postsecondary Education Co.nmiss.	Executive Director (28J) ..... 82,992
Public Offices Commission	Director (24A)..... 56,244
<b>University of Alaska</b>	President .....\$ 95,273 <sup>1</sup>
	Chancellor-Anchorage ..... 90,715 <sup>1</sup>
	Chancellor-Fairbanks ..... 91,595 <sup>1</sup>
	Chancellor-Juneau ..... 80,654 <sup>1</sup>
<b>Municipality of Anchorage</b>	Mayor .....\$ 70,000
	City Manager.....\$ 54,000 — 82,000
<b>Anchorage School District</b>	Superintendent ..... \$ 92,000 <sup>2</sup>

<sup>1</sup> Budgeted salaries, excluding geographic cost of living adjustments, housing allowance, etc.

<sup>2</sup> Salary will be \$96,000 for 1988/89 school year.

Sources: Alaska Office of the Governor.	Alaska Postsecondary Education Commission.
Alaska Commercial Fisheries Entry Commission.	Alaska Power Authority.
Alaska Department of Administration.	Alaska Public Offices Commission.
Alaska Department of Commerce and Economic Development.	Alaska Railroad Corporation.
Alaska Department of Revenue.	Alaska State Building Authority.
Alaska Housing Finance Corporation.	Anchorage School District.
Alaska Permanent Fund Corporation.	University of Alaska.
	Municipality of Anchorage.

TABLE 4  
**SALARIES OF STATE EMPLOYEES  
 RELATIVE TO COMMISSIONERS**

1987

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Commissioners .....	\$ 77,304
Department of Commerce and Economic Development	
Executive Director, Alaska Power Authority .....	82,812
Executive Director, Alaska Industrial Development Authority .....	77,304
Chief Executive Officer, Alaska Railroad Corporation.....	125,000
Department of Education	
Executive Director, Postsecondary Education Commission .....	82,992
Department of Health and Social Services	
Clinical Services Director ... ..	94,744 <sup>1</sup>
Staff Psychiatrist (2) .....	93,348 <sup>1</sup>
Staff Psychiatrist (2) .....	89,280 <sup>1</sup>
Department of Law	
Attorney VI .....	86,292
Attorney V .....	83,292
Attorney VI (2) .....	83,172
Attorney V (2).....	80,280
Attorney VI.....	80,160
Deputy Attorney General .....	79,992
Attorney V (12).....	77,376
Department of Natural Resources	
Chief, Petroleum Geology .....	80,160
Petroleum Manager.....	80,160
Department of Revenue	
Deputy Commissioner of Treasury .....	79,992
Executive Director, Permanent Fund Corporation.....	91,212
Chief Investment Officer, Permanent Fund Corp. ....	87,900
Comptroller, Permanent Fund Corporation .....	86,700
Executive Director, Alaska Housing Finance Corporation .....	79,992

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<sup>1</sup> 1988 salaries.

Sources: Alaska Department of Commerce and Economic Development; Alaska Power Authority; Alaska Railroad Corporation; Alaska Department of Education; Alaska Department of Health and Social Services; Alaska Department of Law; Alaska Department of Natural Resources; Alaska Department of Revenue; Alaska Permanent Fund Corporation; and Alaska Housing Finance Corporation.

TABLE 5

# CURRENTLY AUTHORIZED JUDGESHIPS

## ALASKA SUPREME, APPEALS, SUPERIOR AND DISTRICT COURTS

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**I. SUPREME COURT**

5 justices — 4 based in Anchorage; 1 based in Fairbanks

**II. COURT OF APPEALS**

3 judges — all based in Anchorage

**III. SUPERIOR COURT**

**a. First Judicial District**

5 judges — 1 based in Ketchikan; 1 based in Sitka; 2 based in Juneau;  
1 based in Wrangell/Petersburg

**b. Second Judicial District**

3 judges — 1 based in Nome; 1 based in Kotzebue; 1 based in Barrow

**c. Third Judicial District**

16 judges -- 12 based in Anchorage; 1 based in Kodiak; 1 based in Kenai; 1 based in Palmer;  
1 based in Valdez

**d. Fourth Judicial District**

5 judges — 4 based in Fairbanks; 1 based in Bethel

**IV. DISTRICT COURT**

**a. First Judicial District**

2 judges — 1 based in Ketchikan; 1 based in Juneau

**b. Second Judicial District**

None

**c. Third Judicial District<sup>1</sup>**

11 judges — 9 based in Anchorage; 1 based in Homer; 1 based in Palmer

**d. Fourth Judicial District**

4 judges — all based in Fairbanks

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<sup>1</sup> State Statutes provide for 12 District Court judges in the third judicial district. Administrative Rule 19 of the Alaska Court System provides for only 11 District Court judges in this judicial district.

Source: Alaska Court System, 1987 Annual Report.

TABLE 6  
**RETENTION SURVEY SCORES**  
**ALASKA JUDICIAL SYSTEM**  
 BY DATE OF ORIGINAL APPOINTMENT<sup>1</sup>

Bar Rating <sup>2</sup>	Date of Original Appointment					
	1962 — 1975		1976 — 1979		1980 — 1984	
	No.	%	No.	%	No.	%
4.0 or higher	3	12.0	3	25.0	8	38.1
3.5 — 3.9	8	32.0	6	50.0	10	47.6
3.0 — 3.4	10	40.0	2	16.7	3	14.3
Under 3.0	4	16.0	1	8.3	0	0.0
<b>TOTAL</b>	<b>25</b>	<b>100.0</b>	<b>12</b>	<b>100.0</b>	<b>21</b>	<b>100.0</b>

<sup>1</sup> Note: Data covers all judges appointed between 1962 and 1984 who have been evaluated in at least one retention election evaluation. Where a judge has been evaluated more than once, only the most recent evaluation was used unless the judge moved to a different court.

<sup>2</sup> Bar rating is on a 5-point scale where  
 1 = unacceptable  
 2 = deficient  
 3 = acceptable  
 4 = good  
 5 = excellent

Source: Alaska Judicial Council.

TABLE 7  
**OUTCOME OF APPOINTMENTS  
 ALASKA JUDICIAL SYSTEM**

1959 — 1986

Outcome of Appointments	Supreme Court		Superior Court		District Court <sup>1</sup>	
	No.	%	No.	%	No.	%
<b>Maintained Judicial Career</b>						
Still on bench	5	35.7	29	54.7	15	34.1
Retired/died in office	3	21.4	12	22.6	5	11.4
Appointed to other court	3	21.4	8	15.1	7	15.9
<b>Subtotal</b>	<b>11</b>	<b>78.6</b>	<b>49</b>	<b>92.5</b>	<b>27</b>	<b>61.4</b>
<b>Left Judicial Career</b>						
Involuntarily retired/not retained/resigned after "unqualified"	1	7.1	1	1.9	4	9.1
Resigned, now in private practice/other	2	14.3	1	1.9	8	18.2
Unknown	0	0.0	2	3.8	5	11.4
<b>Subtotal</b>	<b>3</b>	<b>21.4</b>	<b>4</b>	<b>7.6</b>	<b>17</b>	<b>38.6</b>
<b>TOTAL</b>	<b>14</b>	<b>100.0</b>	<b>53</b>	<b>100.0</b>	<b>44</b>	<b>100.0</b>

<sup>1</sup> Note: Data for District Court judges are for 1968 — 1986 only. Data for Appeals Court judges are omitted as all three original judges are still serving.

Source: Alaska Judicial Council.

TABLE 8  
**CASELOAD TRENDS — FILINGS**  
**ALASKA STATE COURTS**  
 FY 1982 — FY 1988

Court	FY 1982		FY 1983		FY 1984		FY 1985		FY 1986		FY 1987		FY 1988	
	#	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change	
Supreme	409	509	24.4	541	6.3	528	-2.4	631	19.5	587	-7.0	607	3.4	
Appeals	459	584	27.2	531	-9.1	506	-4.7	588	16.2	523	-11.1	497	-5.0	
Superior														
First	1,960	2,274	16.0	2,571	13.1	2,565	-0.2	2,366	-7.8	2,326	-1.7	2,251	-3.2	
Second	648	776	19.8	881	13.5	878	-0.3	1,056	20.3	988	-6.4	769	-22.2	
Third	11,423	11,732	2.7	12,889	9.9	14,430	12.0	13,978	-3.1	12,975	-7.2	12,620	-2.7	
Fourth	3,137	3,582	14.2	4,119	15.0	3,917	-4.9	3,671	-6.3	3,316	-9.7	3,315	-0.0	
	17,168	18,364*	7.0	20,460	11.4	21,790	6.5	21,071	-3.3	19,605	-7.0	18,955	-3.3	
District <sup>1</sup>														
First	14,360	11,582	-19.3	14,035	21.2	15,655	11.5	14,875	-5.0	12,839	-13.7	12,482	-2.8	
Second	2,172	1,977	-9.0	2,096	6.0	2,291	9.3	2,690	17.4	2,351	-12.6	2,814	19.7	
Third	80,548	90,381	12.2	96,905	7.2	100,893	4.1	96,042	-4.8	97,281	1.3	92,675	-4.7	
Fourth	20,873	23,298	11.6	22,435	-3.7	16,862	-24.8	17,480	3.7	18,540	6.1	20,033	8.1	
	117,953	127,238*	7.9	135,471	6.5	135,701*	0.2	131,087	-3.4	131,011*	-0.1	128,001	-2.3	

<sup>1</sup> District Court statistics for higher volume District Courts only, but include magistrate cases in those locations.

FY 1981 — Court of Appeals established in 1980 and commenced operation in mid-September 1980.

FY 1983 — Upgrading of District to Superior Court judgeships in Wrangell/Petersburg and Barrow.

Superior Court judgeship added in Palmer.

Addition of 2 District Court judgeships in Anchorage.

FY 1985 — Upgrading of District to Superior Court judgeship in Valdez.

Addition of 2 Superior Court judgeships in Anchorage.

FY 1986 — Legislature funded an additional acting District Court judgeship in Palmer.

Source: Alaska Court System Annual Reports.

TABLE 9  
**CASELOAD TRENDS — DISPOSITIONS**  
**ALASKA STATE COURTS**  
 FY 1982 — FY 1988

Court	FY 1982			FY 1983			FY 1984			FY 1985			FY 1986			FY 1987			FY 1988		
	#	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change	#	% Change		
Supreme	422	538	27.5	567	5.4	434	-14.6	645	33.3	522	-19.1	649	24.3								
Appeals	328	594	81.1	526	-11.4	461	-12.4	688	49.2	483	-29.8	469	-2.9								
Superior																					
First	1,593	1,578	-0.9	2,049	29.8	2,112	3.1	2,061	-2.4	2,121	2.9	1,816	-14.4								
Second	612	600	-2.0	857	42.8	776	19.5	1,056	36.1	1,030	-2.5	828	-19.6								
Third	9,856	9,317	-5.5	9,763	4.8	11,576	18.6	11,522	-4.7	2,318	6.9	11,528	-6.4								
Fourth	2,619	3,075	17.4	3,279	6.6	4,097	24.9	4,067	-0.7	3,036	-25.4	3,096	2.0								
	14,680	14,570	-0.7	15,948	9.5	18,561	16.4	18,706	0.8	18,505	-1.1	17,268	-6.7								
District																					
First	13,953	10,731	-23.1	13,570	26.5	14,524	7.0	14,016	-3.5	12,452	-11.2	12,168	-2.3								
Second	2,080	2,044	-1.7	1,980	-3.1	2,137	7.9	2,805	31.3	2,451	-12.6	2,866	16.9								
Third	74,851	88,935	18.8	92,041	3.5	91,383	-0.7	86,935	-4.9	90,018	3.5	86,813	-3.6								
Fourth	20,145	23,373	16.0	21,980	-6.0	15,976	-27.3	18,255	14.3	17,962	-1.6	20,015	11.4								
	111,029	125,083 <sup>1</sup>	12.7	129,571	3.6	124,020 <sup>1</sup>	-4.3	122,011	-1.6	122,883 <sup>1</sup>	0.7	121,862	-0.8								

<sup>1</sup> District Court statistics for higher volume District Courts only, but include magistrate cases in those locations.

FY 1981 — Court of Appeals established in 1980 and commenced operation in mid-September 1980.

FY 1983 — Upgrading of District to Superior Court judgeships in Wrangell/Petersburg and Barrow.

Superior Court judgeship added in Palmer.

Addition of 2 District Court judgeships in Anchorage.

FY 1985 — Upgrading of District to Superior Court judgeship in Valdez.

Addition of 2 Superior Court judgeships in Anchorage.

FY 1986 — Legislature funded an additional acting District Court judgeship in Palmer.

Source: Alaska Court System Annual Reports.

TABLE 10  
**COMPARISON OF JUDICIAL SALARIES  
 STATE AND FEDERAL COURT SYSTEMS**  
 NOVEMBER 1988

State	Highest Court		Appellate Court		General Trial Court	
	Salary	Rank	Salary	Rank	Salary	Rank
Alabama	\$ 82,880	17	\$ 81,880	12	\$ 76,760 <sup>1</sup>	15
Alaska	85,728 <sup>1</sup>	11	79,992	14	77,304 <sup>1</sup>	14
Arizona	84,000	14	82,000	11	80,000	10
Arkansas	66,010	39	63,763	32	61,513	35
California	103,469	2	97,003	2	84,765	4
Colorado	72,000	32	67,500	29	63,000	34
Connecticut	81,920 <sup>2</sup>	19	76,172 <sup>2</sup>	19	72,766 <sup>2</sup>	20
Delaware	84,400	13			79,900	11
Florida	92,822	6	87,362	7	81,902	7
Georgia	80,514	21	79,931	15	77,973 <sup>1</sup>	13
Hawaii	78,500	25	73,500	23	69,500	24
Idaho	62,738	45	61,738	34	58,800	42
Illinois	93,266	4	87,780	6	75,113	16
Indiana	66,000	40	61,000	35	56,000	45
Iowa	72,900	30	69,800	27	66,000	30
Kansas	70,142	35	67,638	28	60,978	38
Kentucky	66,946	37	64,213	31	61,481	36
Louisiana	74,966	28	71,767	25	68,569	25
Maine	77,300	26			73,100	19
Maryland	86,900	10	83,800	9	82,200	5
Massachusetts	90,450	8	83,708	10	80,360	8
Michigan	100,000	3	96,000	3	92,000 <sup>1</sup>	2
Minnesota	80,010	23	73,811	22	70,770	22
Mississippi	70,800	34			61,200	37
Missouri	81,009	20	75,447	20	69,885	23
Montana	50,452	50			49,178	50
Nebraska	63,512	44			58,750	43
Nevada	73,500	29			67,000	28
New Hampshire	70,102	36			68,269	26
New Jersey	93,000	5	90,000	4	85,000	3
New Mexico	62,184	46	59,052	37	55,980	46
New York	115,000	1	102,500	1	95,000	1
North Carolina	79,668 <sup>1</sup>	24	75,432 <sup>2</sup>	21	66,972 <sup>2</sup>	29
North Dakota	59,140	47			55,519	47
Ohio	85,250	12	80,000	13	65,250	33
Oklahoma	71,406	33	66,944	30	59,506	41
Oregon	72,362	31	70,639	26	65,645	31
Pennsylvania	91,500	7	89,500	5	80,000	10
Rhode Island	82,967 <sup>2</sup>	16			74,317 <sup>2</sup>	18
South Carolina	83,883	15	79,690	16	79,690	12
South Dakota	58,697	48			54,808	48
Tennessee	65,650	41	63,125	33	60,600	40
Texas	80,371	22	79,371 <sup>1</sup>	17	72,442 <sup>1</sup>	21
Utah	64,000	42	60,800	36	57,600	44
Vermont	63,900	43			60,700	39
Virginia	88,286	9	83,872	8	81,959	6
Washington	82,700	18	78,600	18	74,600	17
West Virginia	55,000	49			50,000	49
Wisconsin	76,859	27	72,366	24	67,842	27
Wyoming	66,500	38			63,500	33
Mean	77,231		76,694		69,439	
Median	77,900		76,172		68,419	
District of Columbia	95,000				89,500	
Federal System	110,000		95,000		89,500	

<sup>1</sup> Median salary. <sup>2</sup> Base salary is supplemented by increments for length of service.

Source: National Center for State Courts, November 1988.

# TABLE 11 COMPARISON OF STATE JUDICIAL RETIREMENT AND INSURANCE PROVISIONS

1987

State	Person @ 75% of Salary	No Judge Contribution	Mandatory Retirement	Retired Judges Compensated	Disability Benefits After 2 Yrs	Survivor's Benefit @ 50% Salary	Life Insurance Coverage	Health Insurance \$100 Ded.	Dental Insurance \$100 Ded.
Alabama	A'	B	Yes	B	A	B	C	A	A
Alaska	A	B	Yes	A	A	B	A	A	A
Arizona	B'	B'	Yes	A'	B'	B'	A	B'	A'
Arkansas	B'	B'	Yes	C	A'	B'	A'	A'	C'
California	B	B	No	B	A	B	C	A'	A'
Colorado	B	B	Yes	B	B	B	A	B	B
Connecticut	B'	B'	Yes	B'	A'	B	B	A	A
Delaware	B	B	No	B	A	A	B	B	B
District of Columbia	B	B	Yes	A	A	B	A	B	A
Florida	B	A	Yes	C	A	B	B	B	B
Georgia	A	B	Yes	B	A'	B	A'	B'	B'
Guam	A	A	No	N/A	A	B	B	B	A
Hawaii	B	B	No	A	A	B	A	B	A
Idaho	B'	B'	Yes'	A'	B'	B'	A	B	A
Illinois	B	B	Yes	A	B	B	A	B	A
Indiana	B	B	Yes'	B'	A	B	B	A	A
Iowa	B	B	Yes	A	B	B	A	B	A
Kansas	B'	B'	Yes	B	A'	B	A	B	B
Kentucky	A	B	No	B	A	B	A	B	B
Louisiana	B	B	Yes	B	A	B	B	B	C
Maine	A	A	No	B	A	B	A	B	B
Maryland	B	B	Yes'	A	A	B	C	B	C
Massachusetts	B	B	Yes	A'	A	B	A	A	A
Michigan	B	B	Yes	B	B	B	A	A'	N/A
Minnesota	B	B	Yes	A	A	B	A	A	A
Mississippi	B	B	No	A	B	B	B	B	C
Missouri	B	A	Yes	C	B	B	A	B	C
Montana	B	B	Yes	B	A	B	A	B	A
Nebraska	B	B	No	B	A	B	A	B	C
Nevada	B	A	No	A	B	B	A	B	A
New Hampshire	A	A	Yes	C	A	A	A	A	A
New Jersey	B	B	Yes	B	A	B	A	A	A
New Mexico	A'	B'	No	B	B	A	A	B	B
New York	B	B	Yes	B	A	B	B	B	A
North Carolina	B	B	Yes	B	B	B	A	B	B
North Dakota	B	B	No	A	A	B	B	A	C
Ohio	B	B	Yes	A	B	B	N/A	N/A	N/A
Oklahoma	B'	B'	No	B	B	B	A	B	B
Oregon	B	A	Yes	B	A	B	A	A	A
Pennsylvania	B	B	Yes	B	A	B	A	A	A
Puerto Rico	B	B	Yes	C	A	A	B	B	N/A
Rhode Island	A	A	No	A	B	B	B	A	A
South Carolina	B	B	Yes	A	A	B	A	B	B
South Dakota	B	B	Yes	C	B	B	A	B	C
Tennessee	B	B	No	A	B	B	A	B	B
Texas	B'	B'	Yes	A'	B'	B'	A	B	C
Utah	B	B	Yes	A	A	B	A	A	A
Vermont	B	B	Yes	A	A	B	B	B	A
Virginia	B	A	Yes	B	A	B	A	B	B
Washington	B'	B'	Yes	B'	B	B	A	A	A
West Virginia	B	B	No	C	B	B	B	A	C
Wisconsin	B	B	No	A'	A	B	B	A	C
Wyoming	B'	A'	Yes'	A	B	B	B	B	B

Key: A — meets or exceeds criteria. B — provisions exist, but either do not meet criteria or are not specific.  
C — no formal provisions. N/A — no information available. ' Criteria not met by all court levels.

Source: American Bar Association, Judicial Administration Division.

TABLE 12  
**COMPARISON OF STATE JUDICIAL  
 IMMUNITY AND EXPENSES PROVISIONS**  
 1987

State	Judicial Immunity Statute	State Represents Judge	State Pays Judge's Attorney Fees	State Pays Fees of Disc/ Ethics Proc.	Educational Expenses Reimbursed	Travel Expenses Reimbursed
Alabama	No	Yes	Yes	Yes	Yes	N/A
<del>Alaska</del>	No	Yes	Yes	Yes	Yes	N/A
Arizona	No	N/A	Yes	No	Yes <sup>1</sup>	Yes <sup>1</sup>
Arkansas	No	Yes	Yes	No	Yes <sup>1</sup>	Yes <sup>1</sup>
California	No	Yes <sup>1</sup>	Yes <sup>1</sup>	No	Yes	N/A
Colorado	No	Yes	N/A	No	Yes	Yes
Connecticut	Yes	Yes	N/A	No	Yes	Yes
Delaware	Yes	Yes	N/A	No	<sup>2</sup>	N/A
District of Columbia	No	Yes	Yes	Yes	Yes	N/A
Florida	No	Yes	Yes	No	Yes	N/A
Georgia	No <sup>1</sup>	Yes <sup>1</sup>	Yes <sup>1</sup>	No <sup>1</sup>	Yes <sup>1</sup>	N/A
Guam	No	Yes	No	No	No	N/A
Hawaii	No	Yes	N/A	No	Yes	N/A
Idaho	No	Yes	Yes	No	Yes	N/A
Illinois	No	Yes	Yes	No	Yes	Yes
Indiana	No	Yes	N/A	No	N/A	N/A
Iowa	No	Yes	N/A	No	Yes	N/A
Kansas	Yes	Yes	Yes	No	Yes	N/A
Kentucky	No	Yes	N/A	No	Yes	Yes
Louisiana	No	Yes	Yes	Yes	Yes	N/A
Maine	Yes	Yes	Yes	No	Yes	Yes
Maryland	No	Yes	N/A	No	Yes	Yes
Massachusetts	No	Yes	N/A	No	Yes	Yes
Michigan	Yes	Yes	<sup>2</sup>	No	Yes <sup>1</sup>	N/A
Minnesota	No	Yes	Yes	No	Yes	N/A
Mississippi	No	Yes	N/A	No	Yes	N/A
Missouri	No	Yes	Yes	No	Yes	N/A
Montana	Yes	Yes	Yes	N/A	Yes	N/A
Nebraska	No	Yes	N/A	No	Yes	Yes
Nevada	No	Yes <sup>1</sup>	N/A	No	Yes	Yes
New Hampshire	No	Yes	Yes	<sup>2</sup>	Yes	N/A
New Jersey	<sup>1</sup>	Yes	Yes	No	Yes	N/A
New Mexico	No	Yes	Yes	No	Yes	N/A
New York	No	Yes	N/A	No	Yes	N/A
North Carolina	No	Yes	N/A	No	Yes	N/A
North Dakota	No	Yes	N/A	No	Yes	N/A
Ohio	N/A	N/A	N/A	N/A	N/A	N/A
Oklahoma	No	Yes	N/A	No	Yes <sup>1</sup>	N/A
Oregon	No	Yes	Yes	No	Yes	N/A
Pennsylvania	No	Yes	Yes	No	N/A	N/A
Puerto Rico	No	Yes	N/A	No	Yes	N/A
Rhode Island	No	Yes	Yes	Yes	Yes	Yes
South Carolina	<sup>2</sup>	Yes	<sup>2</sup>	No	N/A	N/A
South Dakota	No	Yes	Yes	Yes	Yes	N/A
Tennessee	No	Yes	N/A	No	Yes	<sup>2</sup>
Texas	No	Yes	Yes	No	Yes	N/A
Utah	<sup>2</sup>	Yes	Yes	No	Yes	Yes
Vermont	No	Yes	N/A	No	Yes	N/A
Virginia	No	Yes	Yes	No	Yes	Yes
Washington	No	Yes <sup>1</sup>	N/A	No	Yes	N/A
West Virginia	No	Yes	N/A	No	Yes	Yes
Wisconsin	No	Yes	<sup>2</sup>	Yes	Yes <sup>1</sup>	N/A
Wyoming	No	Yes	N/A	N/A	Yes	N/A

N/A — no information available. <sup>1</sup> Criteria not met by all court levels. <sup>2</sup> Provisions exist but are not specific.  
 Source: American Bar Association, Judicial Administration Division.

TABLE 13  
**COMPARISON OF STATE JUDICIAL  
 LEAVE PROVISIONS**  
 1987

State	20 Vacation Days	12 Sick Days	12 Weeks Maternity Leave	40 Hours Educational Leave	Sabbatical	10 Holidays
Alabama	C	C	C	C	C	A
Alaska	A	B	B	A	B	A
Arizona	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	A
Arkansas	C	C	C	C	C	A
California	A	C	C	C	C	A <sup>1</sup>
Colorado	C	C	C	C	C	A
Connecticut	A <sup>1</sup>	C	C	C	C	A
Delaware	C	C	C	C	C	A
District of Columbia	A	C	C	C	C	A
Florida	C	C	C	C	C	A
Georgia	C	C	C	C	C	A
Guam	B	A	B	A	C	A
Hawaii	A	A	C	C	C	A
Idaho	A	A	B	C	B	A
Illinois	C	C	C	C	C	A
Indiana	C <sup>1</sup>	C	C	C	C	A
Iowa	A	C	C	A	C	B
Kansas	C	C	C	C	C	B
Kentucky	C	C	C	C	C	A
Louisiana	C	C	C	C	C	A
Maine	A	C	C	C	C	A
Maryland	A	B	C	C	C	A
Massachusetts	A <sup>1</sup>	A <sup>1</sup>	C	A <sup>1</sup>	C	A
Michigan	C	C	C	C	C	A
Minnesota	A	C	C	A	C	A
Mississippi	C	A	B	C	C	A
Missouri	C	C	C	C	C	A
Montana	C	C	C	C	C	A
Nebraska	C	C	C	C	C	A
Nevada	C	C	C	C	C	A
New Hampshire	C	C	C	C	C	A
New Jersey	A	C	C	A	C	A
New Mexico	C	C	C	C	C	A
New York	A <sup>1</sup>	C	C	A <sup>1</sup>	C	A
North Carolina	A <sup>1</sup>	C	B	C	C	A
North Dakota	C	C	C	C	C	B
Ohio	N/A	N/A	N/A	N/A	N/A	N/A
Oklahoma	C	C	C	C	C	A
Oregon	C	C	C	C	B	A
Pennsylvania	C	C	C	C	C	A
Puerto Rico	A	A	B	B	B	A
Rhode Island	A	B	C	C	C	A
South Carolina	C	C	C	C	C	A
South Dakota	C	C	C	C	C	B
Tennessee	C	C	C	C	C	A
Texas	C	C	C	C	C	C
Utah	A	C	C	C	C	A
Vermont	C	C	C	C	C	A
Virginia	C <sup>1</sup>	C <sup>1</sup>	C	C <sup>1</sup>	C	A
Washington	C	C	C	C	C	A
West Virginia	C	C	C	C	C	A
Wisconsin	A	A <sup>1</sup>	C	B <sup>1</sup>	C	B
Wyoming	C	C	C	C	C	A

Key: A — meets or exceeds criteria. B — provisions exist, but either do not meet criteria or are not specific.  
 C — no formal provisions. N/A — no information available. <sup>1</sup>Criteria not met by all court levels.

Source: American Bar Association, Judicial Administration Division.

TABLE 14  
**COMPARISON OF ANNUAL SALARIES  
 ALASKA-BASED JUDGES AND  
 GOVERNMENT ATTORNEYS**

1987

Federal Judges	District Court Judge .....	\$ 89,500 <sup>1</sup>
	Claims Court Judge.....	82,500 <sup>1</sup>
	Bankruptcy Court Judge .....	72,500
	U.S. Magistrate .....	72,500 <sup>1</sup>
State Judges	Supreme Court Justice .....	\$ 85,728
	Appeals Court Judge.....	79,992
	Superior Court Judge .....	77,304
	District Court Judge .....	66,816
Federal Attorneys	U.S. Attorney.....	\$ 94,375 <sup>2</sup>
	Regional Solicitor, Dept. of the Interior.....	91,750 <sup>2</sup>
	Regional Counsel, Department of Transportation.....	87,470 <sup>2</sup>
State Attorneys (6 levels) <sup>3</sup>	Attorney 5 (26A-26F).....	\$ 60,252 — 71,880
	— 7 years (26J).....	\$ 74,580
	— 10 years (26K) .....	77,376
	— 15 years (26M).....	80,292
Anchorage Municipal Attorneys	Level 1 <sup>4</sup> .....	\$ 33,010 — 61,006
	Level 2 <sup>4</sup> .....	43,992 — 70,990
	Level 3 <sup>4</sup> .....	54,995 — 82,992
State Administrative Officials		
	Department of Law	
Alaska Court System	Attorney General (28E) .....	\$ 77,304
	Administrative Director .....	83,724
	Deputy Admin. Director (28F) .....	79,992
Alaska Judicial Council	Executive Director (30B) .....	75,000
Office of Public Advocacy	Director (26B).....	64,620
Public Defender Agency	Director (26J) .....	77,268

Note: All State salaries quoted exclude State cost of living adjustments. Where applicable, Range and Step levels are indicated for present incumbent. <sup>1</sup> Federal judges are ineligible for Federal COLA. <sup>2</sup> Salary includes 25 percent Federal COLA. <sup>3</sup> There are six levels of State Attorneys (Attorney 1 - Attorney 6). According to information provided by the Department of Law in December 1987, 4 Attorney 6's, 14 Attorney 5's and the Deputy Attorney General then earned base salaries exceeding that of the Attorney General. <sup>4</sup> There are three levels of Municipal Attorneys, all of which are executive appointments. Level 1 attorneys have less responsibility and more supervision than those at Level 2. Level 3 is the Municipal Attorney.

Sources: U.S. District Court, U.S. Department of the Interior, U.S. Department of Justice, U.S. Department of Transportation, Alaska Court System, Alaska Judicial Council, Alaska Department of Law, Alaska Public Defender Agency, Municipality of Anchorage.

TABLE 15  
**HISTORY OF LEGISLATORS'  
 SALARY AND BENEFITS**

1971 — 1987

Year/Action	Salary	Per Diem	Allowance	Retirement
1971 ('70 legis.) .....	\$ 9,000	\$35	\$4,000 <sup>1</sup>	PERS
1975 (legis.) .....	14,720	48/35	4,000	Estab. EPORS
1976 (voter ref.).....	9,000	35	4,000	Repeal EPORS <sup>2</sup>
1977 (legis.) .....	11,750	50/35	4,000	PERS
1979 ('80 legis.) .....	15,500 <sup>3</sup>	55/35	4,000	PERS
1980 ('80 legis.) .....	17,280	60/35	4,000	PERS
1981 ('80 legis.) .....	18,768	67/50	4,000	PERS
1982.....	20,076	80/60	4,000	PERS
1983-86 ('83 leg.) .....	46,800	0	4,000	PERS
1987 est. ('86 leg.).....	22,140	80/60	4,000	PERS

<sup>1</sup> Allowance first established in 1961 at \$400. Raised twice in 1970, first to \$1,000, then to \$4,000. <sup>2</sup> Alaska Supreme Court ruled that voters could not take away benefits received. Those who got into EPORS are still members; but no new ones since then. <sup>3</sup> Ch. 3, SLA 1980 set legislative salary at Step A, Range 10; approved three different pay scales for 1979, 1980 and 1981 and retroactively applied the 1979 and 1980 pay schedule. Increases until 1983 were the result of increases in Step A, Range 10, consistent with the State employee pay scale.

Source: Alaska State Officers' Compensation Commission, April 6, 1987.

TABLE 16  
**MINIMUM SALARY ACTUALLY EARNED  
 BY LEGISLATORS**

1968 — 1987

Year	Base Salary <sup>1</sup>	Per Diem (rate x days in session) <sup>2</sup>	Total
1968	\$ 6,000	$35 \times 86 = \$3,010$ $*25 \times 86 = 2,150$	\$ 9,010 8,150*
1970	7,872	$35 \times 147 = 5,145$ $*25 \times 147 = 3,675$	13,017 11,547*
1971 <sup>3</sup>	9,000	$35 \times 90 = 3,150$	12,150
1972	9,000	$35 \times 90 = 3,150$	12,150
1973	9,000	$35 \times 90 = 3,150$	12,150
1974	9,000	$35 \times 90 = 3,150$	12,150
1975	11,860	$35 \times 90 = 3,150$	15,010
1976 <sup>4</sup>	12,778	$48 \times 142 = 6,816$ $*35 \times 142 = 1,970$	19,594 17,748*
1977	10,716	$50 \times 141 = 7,050$	17,766
1978	11,750	$50 \times 161 = 8,050$ $*35 \times 161 = 5,635$	19,800 17,385*
1979	15,500	$55 \times 115 = 6,325$ $*35 \times 115 = 4,025$	21,825 19,525*
1980	17,280	$60 \times 148 = 8,880$ $*35 \times 148 = 5,180$	26,160 22,460*
1981	18,768	$67 \times 168 = 11,256$ $*50 \times 168 = 8,400$	30,024 27,168*
1982	20,076	$80 \times 144 = 11,520$ $*60 \times 144 = 8,640$	31,596 28,716*
1983	32,488	$80 \times 162 = 12,960$ $*60 \times 162 = 9,720$	45,448 42,208*
1984	46,800	152 days — no per diem	46,800
1985	46,800	119 days — no per diem	46,800
1986	46,800	120 days — no per diem	46,800
1987(est.)	22,140	$80 \times 120 = 9,600$ $*60 \times 120 = 7,200$	31,740 29,340*

\* Juneau-based legislators received a lower rate of per diem. <sup>1</sup> The base salary changed at various points during the years 1970, 1975, 1976, 1977 and 1983. The figures take into account mid-year changes to represent the total received.

<sup>2</sup> Per Diem: Special sessions in 1979, 1980 and 1981 are included. There were also special sessions in 1973 and 1974, but it is unclear whether legislators received per diem for them. Per diem collected for work when the legislature was not in session is not included. <sup>3</sup> Ch. 193, SLA 1970 set per diem for the first 90 days of the session, effective July 16, 1970. Figures assume no per diem received after the 90th day. Actual days in session were: 1971 — 121 days; 1972 — 161 days; 1973 — 117 days; 1974 — 100 days; 1975 — 139 days. <sup>4</sup> Ch. 205, SLA 1975 was in effect from July 1, 1975 until October 14, 1976. It was rejected by voter referendum in August 1976.

Source: Alaska State Officers' Compensation Commission, April 6, 1987.

TABLE 17  
**LEGISLATIVE COMPENSATION REPORT**  
 1987

Wages & Allowance Categories	Abood	Adams	Barnes	Bennett	Binkley	Boucher	Boyer	Brown	Cato
Gross Wages	\$24,682.08	\$24,682.08	\$20,206.44	\$18,141.56	\$24,682.08	\$24,682.08	\$20,206.44	\$20,206.44	\$24,682.08
Other			89.00	87.77 17.39 <sup>1</sup>					
Office Allowance	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Moving Per Diem		2,410.00	1,650.00	120.00		200.00	1,770.00	960.00	1,120.00
Moving Travel	174.00	705.00	397.00	422.00		45.00	211.00	11.85	153.00
Moving Mileage	196.25	261.25	432.50			196.25	173.00	199.75	465.50
Moving Expense									
Long Term Per Diem	5,100.00		3,200.00	2,035.00 55.00 <sup>1</sup>			1,595.00	260.00	1,950.00
		715.00 <sup>1</sup>							
Long Term Travel									
Long Term Mileage									
Short Term Per Diem	2,799.85		1,781.96	1,080.63		1,840.00	1,875.00		1,296.00
		5,255.00 <sup>1</sup> 480.00 <sup>2</sup>	424.38	1,105.00 <sup>1</sup>			180.00	160.00 <sup>1</sup>	
Short Term Travel	411.36	85.13 <sup>1</sup> 30.00 <sup>2</sup>	103.50 16.40	25.07 1,195.30 <sup>1</sup>			196.00		
Short Term Mileage							42.50		
Session Per Diem	9,920.00	10,000.00	10,000.00	9,920.00	9,920.00	10,000.00	10,000.00	10,000.00	10,000.00
<b>TOTAL</b>	<b>47,283.54</b>	<b>48,623.46</b>	<b>42,301.18</b>	<b>38,204.72</b>	<b>38,602.08</b>	<b>40,963.33</b>	<b>40,248.94</b>	<b>35,738.04</b>	<b>43,666.58</b>

Wages & Allowance Categories	Coghill	Coilins	Cotten	Davidson	Davis	Donley	Duncan	Ellison	Ellis
Gross Wages	\$24,682.08	\$24,682.08	\$24,682.08	\$20,206.44	\$24,682.08	\$20,206.44	\$24,682.08	\$24,682.08	\$20,206.44
Other	929.48		19.44	1,376.07		126.50	9.66 11.01 <sup>1</sup>	84.00	
Office Allowance	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Moving Per Diem	692.00		587.00	4,902.00	720.00	240.00		380.00	560.00
Moving Travel	38.00				78.00			195.00	12.00
Moving Mileage	887.00		212.50	253.00	338.50	32.25			196.25
Moving Expense					181.14				
Long Term Per Diem	3,410.00		1,900.00	5,250.00		5,200.00	4,550.00 100.00 <sup>1</sup>		600.00
Long Term Travel									
Long Term Mileage	2,807.75								
Short Term Per Diem	6,460.08	160.00	1,269.22	4,640.92		2,042.75	3,487.75 370.00 <sup>1</sup> 962.75 <sup>2</sup>	2,896.34	1,480.00
Short Term Travel	727.57			254.56	508.71 142.25 <sup>1</sup> 9.00 <sup>2</sup>	756.13	154.37 38.50 <sup>1</sup> 255.70 <sup>2</sup>	98.10	1,417.06
Short Term Mileage	491.25				165.75 <sup>2</sup>				
Session Per Diem	9,920.00	9,760.00	9,760.00	10,000.00	10,000.00	10,000.00	7,440.00	9,920.00	10,000.00
<b>TOTAL</b>	<b>55,045.21</b>	<b>38,602.08</b>	<b>42,430.24</b>	<b>50,882.99</b>	<b>41,385.43</b>	<b>42,604.07</b>	<b>46,061.82</b>	<b>42,255.52</b>	<b>38,471.75</b>

# TABLE 17 (Cont'd)

## LEGISLATIVE COMPENSATION REPORT

1987

Wages & Allowance Categories	Fahrenkamp	Faika	Fischer	Frank	Furnace	Goll	Gruenberg	Grussendorf	Halford
Gross Wages	\$24,682.08	\$25,182.08	\$24,682.08	\$24,682.08	\$24,682.08	\$24,682.08	\$24,682.08	\$25,182.08	\$24,682.08
Other	71.60	252.79	193.80				51.66	75.00	
Office Allowance	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Moving Per Diem	160.00	240.00	420.00	80.00	320.00	840.00	800.00	1,520.00	320.00
Moving Travel	20.00		27.00		45.00	186.00	445.00		1,500.00
Moving Mileage			5.00		200.00				32.25
Moving Expense									
Long Term Per Diem		5,350.00	3,050.00		4,900.00	2,550.00		1,750.00	352.00
Long Term Travel									
Long Term Mileage									
Short Term Per Diem	4,023.70 551.50 <sup>1</sup>	3,019.95	3,139.84		2,001.56	80.00 530.00 <sup>1</sup> 80.00 <sup>2</sup>	995.00	3,763.73	855.54 509.32 <sup>1</sup> 80.00 <sup>2</sup>
Short Term Travel	1,104.20	162.31	133.28			37.32 <sup>1</sup> 289.01 <sup>2</sup>	13.00	76.50	189.72 156.19 <sup>1</sup>
Short Term Mileage			92.00 <sup>2</sup> 79.00 <sup>2</sup>						
Session Per Diem	9,920.00	9,920.00	9,920.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	9,920.00
<b>TOTAL</b>	<b>44,533.08</b>	<b>48,827.13</b>	<b>45,742.00</b>	<b>38,762.08</b>	<b>46,148.64</b>	<b>43,274.41</b>	<b>40,986.74</b>	<b>46,367.31</b>	<b>42,597.10</b>

Wages & Allowance Categories	Hanley	Hensley	Herrmann	Hoffman	Hudson	Jones	Josephson	Kelly	Kertula
Gross Wages	\$24,682.08	\$20,119.72	\$24,682.08	\$20,206.44	\$20,206.44	\$20,206.44	\$24,682.08	\$24,682.08	\$24,682.08
Other	200.00			975.00	255.00	146.50	109.19	3.36	
Office Allowance	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Moving Per Diem	640.00	656.00		654.00		1,032.00	160.00	80.00	360.00
Moving Travel		332.00		1,334.00		180.00	25.00		704.00
Moving Mileage	396.25			32.25			225.00		64.00
Moving Expense	9.45								
Long Term Per Diem	3,050.00				4,400.00	2,300.00	3,700.00	4,600.00	
Long Term Travel									
Long Term Mileage									
Short Term Per Diem	2,135.22	4,602.96 200.00 <sup>1</sup>		320.00 <sup>1</sup>	1,684.00	10,236.55	4,055.48	1,742.27	160.00
Short Term Travel		70.75		5.00 <sup>1</sup> 322.00 <sup>2</sup>	650.33	480.00 <sup>2</sup> 554.00	407.81	487.05	1,051.00 463.00 <sup>1</sup>
Short Term Mileage				25.00 <sup>2</sup>		183.15 <sup>2</sup> 369.00			
Session Per Diem	10,000.00	9,920.00	10,000.00	10,000.00	7,500.00	9,920.00	9,920.00	9,920.00	9,920.00
<b>TOTAL</b>	<b>45,113.00</b>	<b>39,901.43</b>	<b>38,682.08</b>	<b>37,873.69</b>	<b>38,695.77</b>	<b>49,607.64</b>	<b>47,284.56</b>	<b>45,514.76</b>	<b>41,404.08</b>

TABLE 17 (Cont'd)  
**LEGISLATIVE COMPENSATION REPORT**  
 1987

Wages & Allowance Categories	Koponen	Larson	Martin	Menard	Miller	Navarre	Pearce	Pettyjohn	Phillips
Gross Wages	\$24,682.08	\$24,682.08	\$24,682.08	\$20,206.44	\$24,682.08	\$24,682.08	\$24,682.08	\$24,682.08	\$24,682.08
Other		24.75	20.15 195.00 <sup>1</sup>	560.00					30.00
Office Allowance	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Moving Per Diem	800.00	1,120.00	400.00	666.00	868.00	1,120.00	320.00	240.00	880.00
Moving Travel	195.00	17.50	24.00	704.00	667.25			176.00	112.00
Moving Mileage	375.00	426.25		386.25	325.00	469.50		32.25	400.00
Moving Expense									
Long Term Per Diem	4,070.00	4,800.00	5,250.00	3,200.00	3,850.00		1,400.00	4,500.00	3,200.00
Long Term Travel									
Long Term Mileage		122.00		534.25					
Short Term Per Diem	1,475.00	1,537.23	2,968.74 652.31 <sup>1</sup>		435.46	1,880.00	640.00		180.00
		1,953.48 <sup>2</sup>							
Short Term Travel	330.40 26.00 <sup>1</sup>	344.12	678.00 535.74 <sup>1</sup>		147.70	113.00	137.33	134.36	
		262.85 <sup>2</sup>							
Short Term Mileage	2.75	74.25 666.25 <sup>2</sup>							
Session Per Diem	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
TOTAL	45,866.23	50,030.76	49,406.02	40,256.94	44,975.49	42,264.58	41,179.41	43,764.69	43,484.08

Wages & Allowance Categories	Purchot	Rieger	Rodey	Shultz	Springer	Sturgulewski	Sund	Swackhammer
Gross Wages	\$24,682.08	\$24,682.08	\$24,682.08	\$24,682.08	\$20,206.44	\$24,682.08	\$24,682.08	\$20,206.44
Other		24.00			234.61	322.41		
Office Allowance	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Moving Per Diem	400.00	400.00	80.00	894.00	640.00	240.00	243.50	1,212.00
Moving Travel	176.00	534.00		446.00	300.00	11.50		958.00
Moving Mileage	197.25	196.25		250.00	410.75			237.50
Moving Expense								
Long Term Per Diem		3,750.00 100.00 <sup>1</sup>		3,465.00		600.00	2,100.00	1,350.00
Long Term Travel						262.90		106.50
Long Term Mileage								
Short Term Per Diem		279.00 160.00 <sup>1</sup>	1,852.00	2,223.60	2,870.00	1,177.00	1,269.00	49.00 990.00 <sup>1</sup>
	430.00 <sup>1</sup> 240.00 <sup>2</sup>	1,149.85 <sup>2</sup>						
Short Term Travel		22.66 25.50 <sup>1</sup>	1,914.00	340.68	26.00	23.50	58.75	22.50 312.51 <sup>1</sup>
	12.00 <sup>1</sup> 28.00 <sup>2</sup>	486.00 <sup>2</sup>						
Short Term Mileage				725.00	435.50			
	45.00 <sup>2</sup>							
Session Per Diem	10,000.00	10,000.00	9,920.00	10,000.00	10,000.00	9,920.00	10,000.00	10,000.00
TOTAL	40,210.33	45,809.34	42,448.08	47,026.36	39,123.30	41,239.39	42,353.33	39,444.45

# TABLE 17 (Cont'd)

## LEGISLATIVE COMPENSATION REPORT

1987

Wages & Allowance Categories	Szymanski	Taylor	Uehling	Ulmer	Walls	Zawacki	Zharoff
Gross Wages	\$24,682.08	\$24,682.08	\$24,682.08	\$20,206.44	\$24,682.08	\$20,206.44	\$24,682.08
Other	4.00		18.46		15.75	1,160.00	457.00
Office Allowance	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Moving Per Diem	316.00		1,040.00			400.00	792.00
Moving Travel			16.00			8.00	1,710.50
Moving Mileage			392.50				
Moving Expense							
Long Term Per Diem	6,150.00	6,450.00	5,500.00			4,450.00	3,950.00
Long Term Travel			91.48			207.00	379.11
Long Term Mileage						1,535.00	
Short Term Per Diem	1,418.00	2,625.74	3,222.99	2,193.00	1,020.48	200.00	6,634.09
			350.00 <sup>1</sup>	98.00 <sup>1</sup>	880.00 <sup>1</sup>	320.00 <sup>1</sup>	860.00 <sup>1</sup>
Short Term Travel	247.00	1,498.38	828.94	730.85	533.62		1,442.37
			69.60 <sup>1</sup>	7.00 <sup>1</sup>			10.00 <sup>1</sup>
Short Term Mileage						22.50 <sup>2</sup>	
Session Per Diem	9,920.00	10,000.00	9,920.00	7,500.00	10,000.00	10,000.00	9,920.00
<b>TOTAL</b>	<b>46,737.08</b>	<b>49,256.20</b>	<b>50,132.05</b>	<b>34,735.29</b>	<b>41,131.93</b>	<b>42,538.94</b>	<b>55,068.40</b>

<sup>1</sup>Legislative Finance    <sup>2</sup>Legislative Budget and Audit    Source: Legislative Affairs Agency, Legislator 1987 Compensation Report.

### NOTES TO TABLE 17

**Wages.** Legislators receive \$1,845.00/month or \$22,140.00/year. The President of the Senate and the Speaker of the House of Representatives are entitled to an additional \$400.00 a year during tenure of office. This wage schedule was effective January 19, 1987. Gross wages in this report vary by legislator as returning legislators were compensated at \$3,900.00/month for the first 18 days in January, and newly elected legislators did not receive wage compensation during this period.

**Allowance.** Legislators receive a \$4,000.00 annual allowance. The allowance is for postage, stationery, stenographic services and other expenses. Per Diem. AS 24.10.105. Legislative per diem.

(A) A member of the Legislature is entitled to receive per diem at the same rate allowed for a State employee under AS 39.20.110 and 39.20.160, including regional variations in the rate where applicable.

(B) A legislator is entitled to receive per diem at the short-term rate

- (1) During a legislative session if the legislator is not living in the legislator's place of permanent residence during the session; and
- (2) While on committee business or other legislative business in a place that is not the legislator's place of permanent residence.

(C) A legislator is entitled to receive per diem at the long-term rate

- (1) During a legislative session if the legislator is living at the legislator's place of permanent residence during the session; and
- (2) While engaged in committee business or other legislative business at the legislator's place of residence.

(D) In this section

(1) "Long-term rate" means the long-term per diem rate for a State employee established in regulations adopted by the Commissioner of Administration under AS 39.20.160;

(2) "Short-term rate" means the short-term per diem rate for a State employee established in regulations adopted by the Commissioner of Administration under AS 39.20.160.

Source: Legislative Affairs Agency, Legislator 1987 Compensation Report.

TABLE 18  
**LEGISLATIVE COMPENSATION REPORT**  
 1988

Legislator	Salary	Office Allowance	Moving Per Diem	Long Term Per Diem	Short Term Exp/Per Diem	Session Per Diem	Total
ABOOD, Mitch	\$22,140.00	\$4,000.00	\$720.00	\$3,700.00	\$4,027.86	\$9,680.00	\$44,267.86
ADAMS, Albert	22,140.00	4,000.00	1,818.00	1,045.00	6,655.00	9,680.00	45,338.00
BARNES, Ramona	22,140.00	4,000.00	720.00	4,250.00	1,486.32	9,680.00	42,276.32
BINKLEY, John	22,140.00	4,000.00	3,018.00	5,705.00	0.00	9,680.00	56,569.00
				450.00 <sup>1</sup>	11,496.00 <sup>1</sup>		
					80.00 <sup>2</sup>		
BOUCHER, Red	22,140.00	4,000.00	747.25	600.00	2,480.00	9,680.00	39,647.25
BOYER, Mark	22,140.00	4,000.00	880.00	2,695.00	480.00	9,680.00	40,555.00
					680.00 <sup>1</sup>		
BROWN, Kay	22,140.00	4,000.00	560.00	450.00	580.00	9,680.00	37,410.00
CATO, Bette	22,140.00	4,000.00	1,520.00	4,800.00	840.00	9,680.00	42,980.00
COGHILL, Jack	22,140.00	4,000.00	480.00	4,785.00	2,490.00	9,680.00	43,575.00
COLLINS, Virginia	22,140.00	4,000.00			270.00	9,680.00	36,090.00
COTTEN, Sam	22,140.00	4,000.00	690.00	2,400.00	880.00	9,680.00	39,790.00
DAVIDSON, Cliff	22,140.00	4,000.00	1,232.00	4,500.00	4,671.30	9,680.00	46,223.30
DAVIS, Mike	22,140.00	4,000.00	480.00	370.00	2,523.00	9,680.00	39,833.00
					160.00 <sup>1</sup>		
					480.00 <sup>2</sup>		
DONLEY, Dave	22,140.00	4,000.00	240.00	8,250.00	1,680.00	9,680.00	45,990.00
DUNCAN, Jim	22,140.00	4,000.00		6,000.00	2,775.93	7,260.00	43,709.50
				50.00 <sup>1</sup>	1,483.57 <sup>2</sup>		
ELIASON, Richard	22,140.00	4,000.00	280.00		1,445.83	9,680.00	37,545.83
ELLIS, Johnny	22,140.00	4,000.00		350.00	2,843.00	9,680.00	39,013.00
FAHRENKAMP, B.	22,140.00	4,000.00			6,914.95	9,680.00	2,734.95
FAIKS, Jan	22,640.00	4,000.00	160.00	5,750.00	5,399.21	9,680.00	47,629.21
FANNING, Ken	22,140.00	4,000.00	348.00	2,695.00	80.00	9,680.00	38,943.00
FISCHER, Paul	22,140.00	4,000.00	156.00	8,350.00	654.00	9,680.00	45,140.00
					160.00 <sup>2</sup>		
FRANK, Steve	22,140.00	4,000.00	80.00			9,680.00	35,900.00
FURNACE, Walt	22,140.00	4,000.00	320.00	5,950.00	1,655.72	9,680.00	43,745.72
GOLL, Peter	22,140.00	4,000.00	1,560.00	2,900.00	640.00	9,680.00	42,071.00
					911.00 <sup>1</sup>		
					240.00 <sup>2</sup>		
GRUENBERG, Max	22,140.00	4,000.00	120.00	250.00	789.34	9,680.00	36,979.34
GRUSSENDORF, B.	22,640.00	4,000.00	160.00	1,650.00	3,200.00	9,680.00	41,330.00
HALFORD, Rick	22,140.00	4,000.00		1,300.00	240.00	9,680.00	37,360.00
					1,255.40 <sup>1</sup>		
HANLEY, Alyce	22,140.00	4,000.00	680.00	1,800.00	320.00	9,680.00	38,620.00
HENSLEY, Willie	22,140.00	4,000.00	366.00	980.00	4,947.47	9,680.00	42,113.47

TABLE 18 (Cont'd)  
**LEGISLATIVE COMPENSATION REPORT**  
 1988

Legislator	Salary	Office Allowance	Moving Per Diem	Long Term Per Diem	Short Term Exp/Per Diem	Session Per Diem	Total
HERRMANN, A.	\$22,140.00	\$4,000.00	\$ 240.00	\$ 850.00	\$ 3,163.75	\$9,680.00	\$40,073.75
HOFFMAN, Lyman	22,140.00	4,000.00	160.00	4,300.00	1,245.00 160.00 <sup>1</sup> 640.00 <sup>2</sup>	9,680.00	42,325.00
HUDSON, Bill	22,140.00	4,000.00		4,650.00	160.00	7,260.00	38,210.00
JONES, Lloyd	22,140.00	4,000.00	436.00	3,050.00	5,744.06 400.00 <sup>2</sup>	9,680.00	45,450.06
JOSEPHSON, Joe	22,140.00	4,000.00	440.00	1,750.00	1,450.40	9,680.00	39,460.40
KELLY, Tim	22,140.00	4,000.00	640.00	5,550.00	960.00	9,680.00	42,970.00
KERTTULA, J.	22,140.00	4,000.00	1,040.00		1,007.00	9,680.00	37,867.00
KOPONEN, N.	22,140.00	4,000.00	720.00	5,390.00		9,680.00	41,930.00
LARSON, Ron	22,140.00	4,000.00	760.00	7,250.00	111.00 <sup>1</sup> 2,397.50 <sup>1</sup>	9,680.00	46,338.50
MARTIN, Terry	22,140.00	4,000.00	160.00	4,800.00	1,142.90	9,680.00	41,922.90
MENARD, Curt	22,140.00	4,000.00	80.00	250.00		9,680.00	36,150.00
MILLER, M.	22,140.00	4,000.00	948.00	4,675.00	160.00	9,680.00	41,603.00
NAVARRE, Mike	22,140.00	4,000.00	1,200.00		340.00	9,680.00	37,360.00
PEACE, Drue	22,140.00	4,000.00	320.00	1,450.00	320.00	9,680.00	37,910.00
PETTYJOHN, Fritz	22,140.00	4,000.00		5,650.00		9,680.00	41,470.00
PHILLIPS, Randy	22,140.00	4,000.00	800.00	2,300.00	320.00	9,680.00	39,240.00
POURCHOT, Pat	22,140.00	4,000.00	480.00	850.00	385.00 240.00 <sup>1</sup>	9,680.00	37,775.00
RIEGER, Steve	22,140.00	4,000.00	320.00	6,500.00	351.89 <sup>2</sup>	9,680.00	42,991.89
RODEY, Pat	22,140.00	4,000.00		2,350.00	350.00	9,680.00	38,520.00
SHULTZ, Richard	22,140.00	4,000.00	1,246.00	5,830.00	1,900.00	9,680.00	44,796.00
SPRINGER, H.	22,140.00	4,000.00	1,440.00	165.00	3,180.00	9,680.00	40,605.00
STURGULEWSKI, A.	22,140.00	4,000.00	160.00	400.00	2,422.84	9,680.00	38,802.84
SUND, John	22,140.00	4,000.00	1,358.00		1,360.00	9,680.00	38,538.00
SWACKHAMMER, C.E.	22,140.00	4,000.00	1,070.00	750.00	480.00 640.00 <sup>1</sup>	9,680.00	38,760.00
SZYMANSKI, Mike	22,140.00	4,000.00	276.00	6,000.00	2,754.08	9,680.00	44,850.08
TAYLOR, Robin	22,140.00	4,000.00		3,400.00	1,680.00	9,680.00	40,900.00
UEHLING, Rick	22,140.00	4,000.00	720.00	7,450.00	4,218.44	9,680.00	48,208.44
ULMER, Fran	22,140.00	4,000.00		50.00	1,275.00	7,260.00	34,725.00
WALLIS, Kay	22,140.00	4,000.00	2,240.00	5,775.00	1,840.00 3,312.16 <sup>1</sup>	9,680.00	48,987.16
ZAWACKI, Jim	22,140.00	4,000.00	480.00	6,700.00	680.00 320.00 <sup>2</sup>	9,680.00	44,000.00
ZHAROFF, Fred	22,140.00	4,000.00	936.00	4,050.00 355.00 <sup>1</sup>	10,824.82 80.00 <sup>1</sup>	9,680.00	52,075.82

<sup>1</sup>Legislative Finance    <sup>2</sup>Legislative Budget and Audit    Source: Legislative Affairs Agency, Legislator 1988 Compensation Report.

TABLE 19  
**CONSUMER PRICE INDEX**  
**ANCHORAGE, SEATTLE AND UNITED STATES**  
 1967 — 1987

Year	CPI Anchorage	% Change	CPI Seattle	% Change	CPI U.S.	% Change
1967	100.0	—	100.0	—	100.0	—
1968	102.6	2.6	104.1	4.1	104.2	4.2
1969	105.9	3.1	109.2	4.9	109.8	5.4
1970	109.6	3.5	114.0	4.4	116.3	5.9
1971	112.9	3.0	116.4	2.1	121.3	4.3
1972	115.9	2.7	119.7	2.8	125.3	3.3
1973	120.8	4.2	127.5	11.1	133.1	6.2
1974	133.9	10.8	141.5	11.0	147.7	11.0
1975	152.3	13.7	155.8	10.1	161.2	9.1
1976	164.1	7.7	165.5	5.6	170.5	5.8
1977	175.0	6.6	177.6	8.0	181.5	6.5
1978	187.5	7.1	194.8	9.7	195.4	7.7
1979	207.0	10.4	216.3	11.0	217.4	11.3
1980	228.2	10.2	252.1	16.6	246.8	13.5
1981	246.5	8.0	297.7	10.9	272.4	10.4
1982	260.1	5.5	297.8	6.5	289.1	6.1
1983	264.8	1.8	302.8	1.7	298.4	3.2
1984	275.6	4.1	313.9	3.7	311.1	4.3
1985	282.3	2.4	321.9	2.6	322.2	3.6
1986	287.8	1.9	325.2	1.0	328.4	1.9
1987	288.9	0.4	333.0	2.4	340.4	3.6
1988 <sup>1</sup>	289.4	0.2	341.0	2.4	354.9	4.3

<sup>1</sup> July 1988 figures. Source: U.S. Department of Labor, Bureau of Labor Statistics.

TABLE 20  
**COMPARATIVE COST  
 OF LIVING INDEX  
 SELECTED U.S. CITIES**

FIRST QUARTER, 1988

State	City	All Items Index	State	City	All Items Index
Alabama	Birmingham	98.7	Missouri	St. Louis	99.4
Alaska	Anchorage	129.5	Montana	Missoula	95.8
	Fairbanks	130.9	Nebraska	Lincoln	92.8
	Juneau	129.7	Nevada	Las Vegas	102.7
Arizona	Phoenix	103.2	New Hampshire	Manchester	123.6
	Tucson	100.2	New Mexico	Albuquerque	101.1
California	Los Angeles	117.0	New York	Albany	110.2
	Sacramento	108.0		Buffalo	97.0
	San Diego	121.0		New York	154.6
Colorado	Denver	102.3	North Carolina	Raleigh	100.9
Connecticut	Hartford	123.3	Ohio	Columbus	102.7
Delaware	Wilmington	113.7	Oklahoma	Oklahoma	
District of Columbia		130.8		City	94.2
Florida	Jacksonville	98.8	Oregon	Eugene	101.2
	Miami	111.4	Pennsylvania	Philadelphia	126.5
Georgia	Atlanta	108.6	South Carolina	Charleston	100.6
Idaho	Boise	95.2	Tennessee	Memphis	96.1
Illinois	Peoria	103.0	Texas	Dallas	106.6
Indiana	Bloomington	99.2		Houston	102.7
Kansas	Wichita	94.9	Utah	Salt Lake	
Kentucky	Lexington	102.2		City	98.3
Louisiana	New Orleans	97.3	Vermont	Montpelier	112.9
Maryland	Baltimore	104.1	Virginia	Richmond	105.3
Massachusetts	Boston	157.6	Washington	Seattle	109.1
Michigan	Lansing	106.1	West Virginia	Charleston	96.2
Minnesota	St. Paul	104.8	Wisconsin	Milwaukee	104.7

Note: The ACCRA Cost of Living Index measures relative price levels for consumer goods and services in participating cities (a total of 256 cities in the 1st quarter of 1988) as compared with the national average of 100 for all participating cities.

Source: American Chamber of Commerce Researchers Association.

TABLE 21  
**PER CAPITA INCOME RANKED BY STATE**  
 1987

Rank	State	Per Capita Income	Percent of U.S. Average	Percent Change Since 1986
1	Connecticut	\$ 20,980	137%	9.2%
2	New Jersey	20,067	131	9.8
3	Massachusetts	18,926	123	8.0
4	New York	18,055	118	5.5
5	ALASKA	17,886	117	0.8
6	Maryland	17,722	116	6.8
7	California	17,661	115	5.3
8	New Hampshire	17,133	112	7.6
9	Illinois	16,347	107	6.0
10	Virginia	16,322	106	6.2
11	Delaware	16,238	106	8.2
12	Nevada	15,958	104	5.9
13	Colorado	15,862	103	5.0
14	Minnesota	15,783	103	7.1
15	Washington	15,444	101	6.5
16	Hawaii	15,366	100	4.6
17	Rhode Island	15,355	100	4.7
—	U.S. AVERAGE	15,340	100	6.1
18	Michigan	15,330	100	9.0
19	Florida	15,241	99	6.7
20	Pennsylvania	14,997	98	7.6
21	Kansas	14,952	97	4.0
22	Wisconsin	14,659	96	6.3
23	Ohio	14,543	95	5.8
24	Missouri	14,537	95	6.4
25	Nebraska	14,341	93	4.1
26	Iowa	14,191	93	7.3
27	Georgia	14,098	92	6.6
28	Vermont	14,061	92	9.5
29	Arizona	14,030	91	6.1
30	Oregon	13,887	91	5.1
31	Indiana	13,834	90	6.9
32	Texas	13,764	90	1.8
33	Maine	13,720	89	8.0
34	North Carolina	13,155	86	7.4
35	North Dakota	13,061	85	6.3
36	Wyoming	12,759	83	-3.6
37	Tennessee	12,738	83	7.7
38	Oklahoma	12,520	82	1.2
39	South Dakota	12,511	82	5.6
40	Montana	12,255	80	2.9
41	Kentucky	11,950	78	7.4
42	South Carolina	11,858	77	6.9
43	Idaho	11,820	77	3.4
44	Alabama	11,780	77	6.0
45	New Mexico	11,673	76	5.8
46	Louisiana	11,362	74	1.2
47	Arkansas	11,343	74	5.3
48	Utah	11,246	73	4.7
49	West Virginia	10,959	71	4.1
50	Mississippi	10,204	67	6.8

Source: U.S. Department of Commerce, Bureau of Economic Analysis.

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APPENDIX  
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## PUBLIC COMMENTS

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The following newspapers carried at least one story in January 1989 about the public hearings scheduled by the Alaska State Officers' Compensation Commission on January 11, January 14 and February 1: Aleutian Eagle, Anchorage Daily News, Anchorage Times, Borough Post, Bristol Bay News, Copper Valley News, Delta Paper, Homer News, Island News, Juneau Empire, Ketchikan Daily News, Kodiak Daily Mirror, Peninsula Clarion, Petersburg Pilot, Pioneer All-Alaska Weekly, Sitka Sentinel, Valdez Vanguard and the Valley Sun. Still other newspapers published at least one article about the Commission, but without giving the exact time and date of the public hearings. Those included the Fairbanks Daily News Miner and the Wrangell Sentinel.

Statewide radio and television, including the Alaska Public Radio Network, KIMO-TV and KTUU-TV, as well as many local stations, also broadcast periodic stories about the Commission and its work.

In addition, each of the 17 legislative information offices around the state received press releases and copies of the draft report.

At the public hearings on January 11 and January 14, 1989, written and oral testimony received centered on the feasibility of raising public officials' salaries given current economic conditions, while other witnesses offered testimony in support of the Commission's findings.

The Commission also received written testimony from the Alaska Court System relating to the positions of Administrative Director and Deputy Administrative Director. The Court System noted that recommendations made about those positions were outside the Commission's authority and that those salaries were set by State Statute and Alaska Court Rules.

In response to a request by the Chief Justice of the Alaska Supreme Court, the Commission held a third public hearing on February 1, 1989. Written and oral testimony received from witnesses, including private attorneys, Alaska justices and judges, a representative of the Alaska Court System and the American Bar Association, plus a former member of the federal Quadrennial Salary Commission, generally favored salary increases greater than those initially recommended by the Commission.

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APPENDIX  
D

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## REFERENCES

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The following is a partial list of references used by the Commission in preparing this report:

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- Fischer, Victor. *Alaska's Constitutional Convention*.
- Hawaii, State of. *Report of Public Officers and Employees Compensation Review Commission*, (1983).
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- U.S. Commission on Executive, Legislative and Judicial Salaries. *High Quality Leadership — Our Government's Most Precious Asset: Report of the Commission*, (1986).

# Checks between sessions

## Legislators review interim pay policy

By LARRY PERSILY  
Associated Press

JUNEAU — Lawmakers are expected to take action next week to tighten the rules on paying themselves for legislative work between sessions.

Senate and House members were paid \$184,575 last year for claims of legislative work in their home districts between sessions, with several individuals receiving pay at a rate of almost five days a week.

The proposed rule changes would require legislators to attend a meeting or spend at least four hours on legislative business in order to qualify for their pay that day.

"Right now there's no accountability," said Senate President Tim Kelly, R-Anchorage, who suggested the rule changes.

The new rules would require legislators to submit signed statements describing the work claimed for their per diem. The claims would require approval of the Senate president or House speaker.

Lawmakers are allowed under the existing honor system to claim \$50-\$55 a day for home-district work between sessions, with no requirements of any minimum work for the money or approval by the president or speaker.

"It's pretty obvious that the rules need to be clarified to avoid any abuses from taking place," said Rep. Mike Davis, D-Fairbanks, chairman of the Legislative Council.

The 14-member council of senators and representatives oversees operation of the legislature and sets rules for legislative spending.

The rule changes were discussed by the Legislative Council Tuesday, but House Speaker Sam Cotten, D-Eagle River, asked the council to delay action on the issue to allow House Dem-

See Interim, page B-6

## Interim

Continued from page A-1

ocrats more time to review the proposals.

Davis said he expects the Legislative Council will meet and approve the rule changes at its next meeting, tentatively set for March 31.

Kelly proposed the rule changes after a March 12 newspaper story reported that Sen. Paul Fischer, R-Soldotna, had collected per diem payments for political fund-raising trips to Anchorage and other times when he was not in his Soldotna legislative office.

A Kenai resident has filed a complaint against Fischer with the Legislative Ethics Committee, alleging that the senator accepted state money for travel and per diem related to personal business, private employment and campaign activities.

Fischer received per diem payments for 167 days last year to lead all lawmakers who claimed money for legislative work between sessions.

Rep. Dave Donley, D-Anchorage, was paid for 165 days; Sen. Rick Uehling, R-Anchorage, was third at 149 days; and Rep. Ron Larson, D-Palmer, was paid for 145 days last year.

Sessions are limited to 121 days, leaving 244 days for which lawmakers can claim per diem for other legislative business and travel.

Because there are no guidelines for claiming legislative per diem between sessions, lawmakers are allowed to apply their own rules. At the other end of the list from Fischer were seven legislators who received no money last year.

The proposed rule change that would require attendance at a meeting to earn per diem money needs a tighter definition of what is a meeting, Uehling said. He asked if a staff lunch would qualify as a meeting. "It's sort of a loose term."

Rep. Cliff Davidson said, "I just think we're getting carried away" with trying to answer every question in the rules.

Times - 3/23/89

# Council rejects per diem rules

By LARRY PERSILY  
The Associated Press

JUNEAU — Supporters of stricter rules for legislative pay between sessions will have to wait a little longer before the proposed new standards are approved.

The Legislative Council was unable to muster a full contingent at its meeting Monday, and although the new pay rules received a 7-3 majority vote, they failed because eight "yes" votes are required of the 14-member council.

The council oversees operation of the legislative branch.

Lawmakers last year received \$184,575 for claims of legislative work in their home districts between sessions, with several legislators getting paid at a rate of almost five days a week.

The council will meet again within the next week

■ **IN PROGRESS:** More legislative news from Juneau. B-3

or so, and Council Chairman Rep. Mike Davis, D-Fairbanks, said he expects the rules will be approved on the second try.

Legislators may claim \$50 to \$55 a day for work in their home districts between sessions, with no minimum-work requirement to claim the money under the existing honor system.

The new rules would require legislators to work at least four hours a day on state business or attend a meeting on legislative issues to claim the daily pay.

Rep. Ben Grussendorf voted against the rule changes Monday, but said he will vote "yes" when the issue comes up again.

Please see Page B-3, **PER DIEM**

## PER DIEM: Council votes

Continued from Page B-1

"It was a protest vote against those who have been abusing the system," the Sitka Democrat said. "It kind of makes me angry when you have to take the rules and regulations to their lowest common denominator to get the people who have no common sense whatsoever."

"In my mind there are two types of people: either you are ethical or you're not ethical," and rules cannot change people, Grussendorf said.

Setting minimum stan-

dards for claiming legislative pay "will provide for more accountability," said Senate President Tim Kelly, R-Anchorage.

Kelly proposed the stricter legislative pay rules last month, following allegations that Sen. Paul Fischer had collected legislative pay for days he was out of town on political fund-raising trips.

The Senate Ethics panel is investigating the Soldotna Republican for allegedly collecting travel and per diem money for trips related to personal business, private employment and campaign activities.

## Legislative scam

**LET'S BE** careful not to tar everybody with the same black brush. At the same time, however, let's say that the legislature — or, to be more specific, some legislators — are skimming thousands of dollars from the public by collecting \$50 a day in per diem expenses for needless make-work activities and perhaps even phony claims of being on the job between sessions.

It's part of a system that breeds temptations to pad the payroll under the guise of doing public work.

Some legislators take excessive advantage of this per diem benefit, and we suspect all of them — at one time or another — have put in claims for payment that were marginal at best.

**IT'S A** practice much more insidious even than the reprehensible routine of a congressman receiving an honorarium for showing up at a function sponsored by some special interest group trying to buy a vote.

And it is one that needs to be halted as soon as possible.

Sen. Jan Faiks, who has collected her share of per diem payments over the years, says some of her colleagues are flat-out cheating when they submit claims for

payment for between-session work.

The trouble is that the procedures for claiming per diem reimbursement are based totally on an honor system. Any legislator who reports he did any kind of legislative work, no matter the time involved or the extent of effort entailed, is automatically reimbursed \$50. Period. No questions asked. No documentation required.

**JUST TO** put things in perspective, Sen. Faiks put in for 115 days of legislative work between sessions last year, collecting \$5,750. But that put her in only 13th place on the per diem payment list among the state's 60 legislators. Sen. Paul Fischer, a Republican from Soldotna, led the list — claiming 167 days of work, averaging almost five days a week for the rest of the year after the adjournment of the 1988 session and collecting \$8,350 in per diem payments.

Sen. Falk's new bill would eliminate per diem payments between sessions except for time involved attending official committee or subcommittee meetings.

It should pass without delay, with strong bipartisan support. But don't bet on it.

file SB 192

Daily News - 2/28/89

## Faiks aims to make it harder for legislators to claim daily expenses

By LARRY PERSILY  
The Associated Press

JUNEAU — Sen. Jan Faiks says some lawmakers cheat on their expense allowances between sessions, and she wants to make it tougher for legislators to claim \$50 a day for work during the interim.

The Anchorage Republican on Monday introduced Senate Bill 192, which would eliminate per diem allowances between sessions for all but official committee or subcommittee meetings.

State law allows lawmakers to claim \$50 a day between sessions for legislative work in their hometowns, regardless of whether they work at home or the office.

Legislators are not required to work a minimum number of hours to claim the \$50 and many take advantage of the honor

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*The bill would eliminate per diem allowances between sessions for all but official committee or subcommittee meetings.*

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system, Faiks said. She declined to name those legislators.

Lawmakers received almost \$185,000 in per diem for hometown work between sessions last year.

The top spot on last year's interim per diem list was held by Sen. Paul Fischer, R-Soldotna, who received \$8,350 for 187

days of legislative work between sessions. The session lasted 120 days, with Fischer's 1988 expense claims averaging almost five days a week between sessions.

Fischer fought a successful re-election battle last year, and said he handled legislative matters during the day to earn his \$50 per diem and did campaign work at night and on weekends.

Faiks, Senate president last year, received \$5,750 for 115 days of legislative work between sessions, putting her 13th on the 1988 list of 80 legislators.

A separate allowance is paid lawmakers when they travel on state business, and Faiks was sixth on the travel expense list last year with almost \$5,400.

The honor system for reporting hometown work between sessions was adopted in 1987 when legislative salaries were cut

from \$46,800 to \$22,140 a year

Faiks criticized the honor system which allows lawmakers to hold full-time jobs between sessions and still claim \$50 a day for legislative work, regardless of the amount of time spent on state business.

The system also allows lawmakers to work on their re-election campaigns between sessions and collect per diem for any legislative work on the same days, if they choose to request the money.

The Alaska State Officers Compensation Commission three months ago recommended lawmakers receive a pay hike to \$40,000 a year, and in exchange give up their per diem allowances.

No action is expected this year on the commission's recommendation, and Faiks is skeptical of her proposal's chances for passage this session.

# ALASKA LEGISLATIVE COUNCIL



## —Minutes—

March 21, 1989

The meeting was called to order at 5:32 p.m. by Chairman Mike Davis in the Butrovich Room.

The roll was taken and in attendance were Council members Cotten, Davidson, Davis, Fahrenkamp, Frank, Kelly, Navarre, Szymanski, Uehling, Zawacki and Zharoff. Members absent were Collins, Grussendorf and Pearce. Staff present were Endicott, Stoops, Cook and Fink.

### APPROVAL OF THE MINUTES

Senator Uehling moved and asked unanimous consent that the minutes of the March 14, 1989 meeting be approved. There was no objection and the motion passed.

### PER DIEM POLICY

Representative Davis explained that a revised per diem policy, sample forms for submitting per diem, and 3 letters from other legislators regarding the proposed policy were included in the members' packets. He also noted that Senator Binkley had expressed an interest in changing the reporting period to 60 days and that other House and Senate members are concerned with the reporting period as well.

Representative Cotten, while supporting the changes in general, expressed concern regarding the delegation of authority from the presiding officer to the executive director and not to another legislator. Senator Kelly felt that delegation of another legislator made it look like passing the buck. Representative Cotten was concerned that the executive director may not be aware of the internal decision making process within each House. Senator Kelly indicated that he did not have a problem with delegation to another legislator. Representative Cotten stated that he would like to have time for both the House Majority and House Minority to discuss these policy changes before the Council votes on them.

Senator Szymanski stated that he understood that the long-term per diem forms would be submitted to the presiding officers and if that person was not available the forms would go to the Executive Director for approval; however, for travel and per diem approval, the presiding officer could delegate that authority to another legislator.

Senator Uehling stated that he had a concern about the phrase "a meeting for a legislative or public purpose." He suggested that a

Representative Davis noted that Representative Larson is looking at an 8 percent cut across the board, but it was his understanding that the Council did not wish to present those cuts to the Finance Committee. Senator Fahrenkamp noted that LAA had taken about a 31% cut when these reductions first started and that, in the past, the direction has been to cut Legislative Council and leave Budget and Audit alone. Senator Kelly noted that there were going to have to be cuts this year, in session, in individual staff and travel. LAA has already been through this for a couple of years. Representative Cotten agreed with Senator Fahrenkamp that the legislative budget was one that covered more than what the Council had jurisdiction over, and both Finance Committees are the ultimate arbitrator as far as what goes into the budget for the Legislature. The Council can make recommendations but it will be the Finance Committees' final authority. Representative Davis announced that he planned to have a budget subcommittee right after Easter break.

Senator Frank commented that often the budget is increased 10 percent before the 8% cuts are made. Senator Kelly agreed with Senator Frank and asked Mr. Endicott how the legislature's budget compared to the governor's budget request. Pam Stoops indicated that the legislature was going in for about \$1.1 million less than was authorized last year. Mr. Endicott indicated that the Agency was up 1.5%, nonagency that is under the Council is up 2.1%, the Ombudsman up 9.2%, Legislative Finance up 12.8% and Legislative Budget and Audit up 6.1% from what the Conference Committee was last year. Representative Cotten stated that the FY 89 budget was \$33 million and this year's request is for \$31.3 million, which is a reduction of \$1.7 million. Representative Davis said that the subcommittee would make a report at the next Council meeting.

#### CODE REVISION COMMISSION SUNSET, DISCUSSION

Senator Sturgulewski offered, and the Council agreed, that this matter should be taken up by the Budget Subcommittee when it meets.

Representative Davis adjourned the meeting at 6:04 p.m.



# ALASKA LEGISLATIVE COUNCIL

## —Minutes—

April 3, 1989

# DRAFT

The meeting was called to order by Chairman Mike Davis at 5:10 p.m. in the Governor's Conference Room.

The roll was taken and in attendance were Council members Collins, Cotten, Davidson, Davis, Grussendorf, Fahrenkamp, Frank, Kelly, Pearce, Uehling and Zharoff. Members absent were Navarre, Szymanski and Zawacki. Staff present were Endicott, Stoops, Cook and Fink.

### APPROVAL OF THE MINUTES

Representative Grussendorf moved and asked unanimous consent that the minutes of the March 21, 1989 meeting be approved. There was no objection and the motion passed.

### FY90 BUDGET FOR THE LEGISLATURE

Pam Stoops, Director of Administrative Services, explained that historically the Agency budget is prepared at the direction of the Executive Director and the other components such as Council and Subcommittees, Session Expenses and Legislative Operating Budget go in for the authorized amount unless the person in charge of those funds requests a different amount. House Research and Senate Advisory also provide the figures they want submitted. The two page proposal in the packet is the Budget Subcommittee's recommended changes to the FY 90 Budget dated 2/15/89.

Representative Frank asked how the budget came in at \$1.7 million less than last year. Ms. Stoops explained that the amount requested did not include the carry-forward money. Senator Uehling asked what percentage reduction was the \$1.7 million of the \$33 million authorized. Ms. Stoops said that it was 5.7% decrease from the FY 89 authorized amount. Senator Kelly asked where the \$1.7 million was coming from. Ms. Stoops said that the majority of the \$1.7 million was from the Legislative Operating Budget and Council and Subcommittees components. Representative Grussendorf asked if the \$1.7 million was the \$400,000 from the Senate and the \$1.3 million from the House. Ms. Stoops indicated that was correct. Senator Kelly noted that essentially the Legislature was asking for the same budget as last year's. Senator Fahrenkamp stated that she was concerned about cuts from Legislative Council and not equal cuts from Budget and Audit. In the past, the Council's budget had taken cuts of approximately 31% and Budget and Audit had received minimal cuts. She would like to see a more equal treatment. Representative Davis indicated that the proposed budget amendments essentially moved money around but did not substantially reduce the budget.

Senator Kelly asked why the Legislative Research Agency had been put in at \$1,260.6 and not the \$900,000 previously discussed. Representative Davis stated that the higher amount had been used pending action by the Finance Committees regarding a combined research agency. Senator Kelly indicated that to date no agreement has been reached on how ~~or if~~ the research agencies will be combined. Representative Davis estimated the saving of combining House Research and Senate Advisory at \$300-350,000.

Representative Davis suggested that the Council go through the list of changes one by one. He also indicated that there was a reduction of 10% to travel in the Agency and research components.

Senator Fahrenkamp asked how the reduction of 53.4 for mainframe software rental would affect the Legislature. Mr. Endicott indicated that the Agency had budgeted high based on figures from the lessors; however, since that time the rates have been reduced and this amount reflects that reduction. The Legislature cannot drop any of the software it uses without having to completely modify its system. These rental agreements will be up for renewal in the near future and will have to come to Council for approval at that time.

Senator Fahrenkamp moved and asked unanimous consent that the changes to the Executive Administration component be accepted. There was no objection and the motion passed.

Senator Kelly suggested that the Council review all the components until someone objected.

Representative Davis indicated that 14.0 was being deleted from the Legal Services component. This amount was a one-time appropriation for the purpose of the Code Revision Commission's review of AS 02. Senator Uehling asked if these changes had anything to do with the bill currently in the Senate Finance Committee which provides for staff for the Code Revision Commission. Representative Davis indicated that if that legislation passed it would add to the Code Revision Commission but that was a separate issue. He also noted that the Commission's travel was being reduced by 10.0 as that was the amount they didn't use this year.

Senator Kelly noted that there was a need for an ethics lawyer but that it wasn't a full-time job. The understanding is that a lawyer will be hired in the Legal Services Division to work on ethics and will report only to the Director of Legal Services. Senator Uehling asked how many positions for ethics attorneys there were. There is currently one that works directly for the Ethics Committee. Representative Davis indicated that there would only be one position and it was being transferred from the Ethics Committee to Legal Services.

Representative Davis indicated that under Council and Subcommittees 30.0 was being added to cover the stipend of the legislative

interns, ~~which was previously in the University budget~~; the Administrative Regulation Review Committee was being reduced 26.0 at Representative Goll's request; Senate Ethics has indicated a need for an additional 9.6.

There is also an additional amount of 50.0 for the Western Legislative Conference Annual meeting which will be held in Anchorage in 1990 and a 10.0 additional amount for the COGEL annual meeting which will also be in Anchorage. Senator Fahrenkamp noted that some of this money would come back to the Council in program receipts when these events take place.

Under the Office Space component, Representative Davis noted that there was a 24.0 increase to cover the cost of janitorial services.

Representative Davis noted that the House Research Agency and the Senate Advisory Council had been eliminated and a Legislative Research Agency inserted. He also indicated that intent language would read, "This component pays for the operation of the Legislative Research Agency. It is the research arm for the Legislature under the jurisdiction of Legislative Council."

Representative Grussendorf indicated that while funding the stipend of the legislative interns was noble, he questioned whether it was the Legislature's responsibility to do it and how did it benefited the Legislature to do so. Representative Davis indicated that last year the funding for the stipend was in the reappropriation's bill and there was support for it among some legislators. The University pays for the professor and the administrative costs; this amount is ~~strictly~~ strictly for the stipend for the students. Currently there are 10 students. Senator Frank suggested that perhaps if there were 60 of them, some savings in staff might result. Representative Davidson indicated that this year it had been difficult for the University to find 10 students and he wasn't sure that it was a viable alternative to staff.

Senator Fahrenkamp moved and asked unanimous consent that the proposed amendments to the budget be adopted. There was no objection and the motion passed.

#### PER DIEM POLICY

Representative Davis informed the Council that there were two proposals in the member's packets. Proposal #1 was Senator Kelly's and Proposal #2 was his. Proposal #2 differs from Proposal #1 in that there would be 60 days instead of 30 days for submission of interim per diem requests and that it would be submitted to Legislative Affairs Agency instead of the presiding officers. Senator Kelly noted that he had no problem with the 60 day time period; however, it was the responsibility of the presiding officers and not Legislative Affairs to approve the per diem. He also indicated that he would probably delegate that authority to the Executive Director, but that ultimately it was the presiding officers' responsibility for approval. Senator Fahrenkamp also

supported the approval authority remaining with the presiding officers. Senator Kelly stated that if a legislator felt that he was being treated unfairly by the presiding officer, he could bring that to the Council for consideration. Representative Davis indicated that upon further consideration he also felt that approval was the presiding officer's responsibility. Representative Grussendorf asked if the forms would be submitted to the presiding officer and then to the Executive Director. Senator Kelly indicated his intent was to send a memo to all Senators indicating that he was delegating his approval authority on routine interim per diem payments to the Executive Director and that they should be sent directly to LAA; however, he would still be able to step in when problems arise. Representative Grussendorf indicated that he agreed with that procedure particularly since legislators were part-time and sometime hard to track down during the interim.

Senator Kelly moved Proposal #1 and amended the proposal to allow ~~for the time period~~ <sup>60 days</sup> for submission of interim per diem requests. ~~From 30 days to 60 days.~~ Senator Uehling inquired whether the legislator still was required to sign the form. Mr. Endicott indicated that the legislator did sign the form when submitting it, and unless there was a problem, it would be automatically processed by Accounting.

Representative Davidson felt that the Council was reluctant to tackle the real problem. He felt that the status quo was adequate unless the Council wanted to deal with the whole issue. Representative Davis indicated the he thought the reason this was before the Council was that there had been problems in this area and they needed to be clarified. Senator Kelly indicated that a procedure needed to be established, and also noted that legislative compensation was different from per diem. A clarified per diem <sup>for</sup> would make it easier <sup>for</sup> everyone to apply for it when they had earned it. policy

Representative Davidson objected to the motion. A roll call vote was taken and the motion failed by the following vote:

YEAS	Collins, Davis, Fahrenkamp, Frank, Kelly, Pearce and Uehling	7
NAYS	Davidson, Grussendorf and Zharoff	3
ABSENT	Cotten, Navarre, Szymanski and Zawacki	4

Senator Kelly gave notice of reconsideration and asked that the proposal be taken up at the next meeting of the Council.

#### PROFESSIONAL SERVICES CONTRACT - CODE REVISION COMMISSION - \$12,000

Representative Davis stated that the Code Revision Commission had been required through a resolution last year to recommend revisions to AS 02 (Aeronautics). This is a contract for that purpose. Senator Pearce asked who had authorized this project. Tam Cook,

Director of Legal Services, indicated that the legislature through a resolution had asked the Code Revision Commission to do a revision of Title 2 and had appropriated \$14,000 for the project. The Revisor of Statutes had discovered that the title appeared to be very archaic and parts of it preempted by federal law. Most of it had been written in the 1940's. Senator Uehling noted that the period of the contract was from March 23, 1989 to April 26, 1989. Senator Fahrenkamp moved and asked unanimous consent that the contract be approved. There was no objection and the motion passed.

#### MEMBERS' COMMENTS

Senator Zharoff asked whether reconsideration was an option on Senator Kelly's per diem motion for the Council, or did the Council need to rescind its action first. Tam Cook indicated that she did not feel a committee would be precluded from using reconsideration. Representative Davis indicated it was his intent to bring this matter up at the next meeting, particularly since several members were absent from today's meeting. Senator Zharoff wanted to know the technical requirements. Representative Grussendorf suggested that since the committee was a joint one, perhaps a policy of one reconsideration and then one chance to rescind should be considered. Representative Davis stated that he felt some part of the per diem policy could be brought up at anytime in the future. Representative Davis asked that Senator Zharoff look into the issue and report to the Council at the next meeting.

Senator Kelly asked for clarification about the status of the proposed per diem policy. Representative Davis indicated that it would appear on the next Council agenda.

The meeting was adjourned at 6:01 pm.

**EFFECTIVE DATE NOTE].**

The State Officers Compensation Commission shall set the compensation of legislators under AS 39.23.

(Sec. 6 ch 124 SLA 1986)

**Sec. 24.10.105. LEGISLATIVE PER DIEM.**

(a) A member of the legislature is entitled to receive per diem at the same rate allowed for a state employee under AS 39.20.110 and 39.20.160, including regional variations in the rate where applicable.

(b) A legislator is entitled to receive per diem at the short-term rate

(1) during a legislative session if the legislator is not living in the legislator's place of permanent residence during the session; and

(2) while on committee business or other legislative business in a place that is not the legislator's place of permanent residence.

(c) A legislator is entitled to receive per diem at the long-term rate

(1) during a legislative session if the legislator is living in the legislator's place of permanent residence during the session; and

(2) while engaged in committee business or other legislative business at the legislator's place of permanent residence.

(d) In this section

(1) "long-term rate" means the long-term per diem rate for a state employee established in regulations adopted by the commissioner of administration under AS 39.20.160;

(2) "short-term rate" means the short-term per diem rate for a state employee established in regulations adopted by the commissioner of administration under AS 39.20.160.

(Sec. 2 ch 124 SLA 1986)

**Sec. 24.10.110. ADDITIONAL ALLOWANCES.**

In addition, each member of the legislature is entitled to an annual allowance prescribed in accordance with AS 39.23 for postage, stationery, stenographic services and other expenses.

(Sec. 3 ch 26 SLA 1961; am sec. 1 ch 8 SLA 1970; am sec. 10 ch 193 SLA 1970; am sec. 8 ch 263 SLA 1976)

**Sec. 24.10.120. METHOD OF PAYMENT.**

Salaries, per diem, and additional allowances for members of the legislature shall be paid by warrants drawn on vouchers approved by the legislative fiscal officer. The legislative fiscal officer shall, by January 31 of each year, file with the legislature's fiscal office a report of all vouchers approved for payment under this section during the preceding calendar year. The report shall provide, by legislator, the date of each





# - Current Form -

## LEGISLATIVE AFFAIRS AGENCY

(907)465-3850  
Accounting

P.O.Box Y-Junes  
99811-310

### LONG-TERM PER DIEM CLAIM

I, \_\_\_\_\_, CERTIFY that the facts herein contained and on supporting documents are correct and constitute a valid claim for long-term per diem in my home community.

\_\_\_\_\_ Please print name of legislator here      \_\_\_\_\_ Signature of legislator here      \_\_\_\_\_ Date

=====

I was on legislative business in \_\_\_\_\_, Alaska as indicated below and claim \_\_\_\_\_ days of long-term per diem. (Leave blank if you wish Accounting to calculate per diem.)

Legislative Business Purpose (If committee business, please specify committee name)	Date(s)
	<del>9-12-92 - 9-17</del>
	<del>9-12-92 - 9-17</del>
	<del>9-17-92 - 9-25</del>

1. Per diem \_\_\_\_\_ days @ \$ \_\_\_\_\_ =

\*\*\*\*\*  
 Claim                    \*                    Accounting  
 \*  
 \*  
 \*  
 \*  
 Per Diem                \*                    Per Diem

OFFICE USE ONLY				
Collocation Code	LC	Account Code	Warrant No.	Amount
31-92-				
31-92-				
31-92-				
31-92-				

Warrant mailing address \_\_\_\_\_

EMR # \_\_\_\_\_ Date \_\_\_\_\_

Trip Purpose: \_\_\_\_\_

Charge to: \_\_\_\_\_  
(Council, Subcommittee, Task Force, etc.)

Return all unused tickets and pink or yellow TR copies to LAA Accounting. TR's are controlled forms. If a TR is not used for its original authorized purpose it must be returned to Accounting. Accounting must be informed if a TR is lost.

Travel advance requested: Yes \_\_\_\_\_ No \_\_\_\_\_

### I. ITINERARY

1. I (will travel) (travelled) to \_\_\_\_\_ on \_\_\_\_\_  
(City) (Date)

and (will be) (was) on official business in \_\_\_\_\_ on \_\_\_\_\_  
and/or (will overnight) (overnighted) in \_\_\_\_\_ on \_\_\_\_\_

and return to \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ a.m. \_\_\_\_\_ p.m.  
(Home Station) (Date) (Please indicate time)

2. I claim \_\_\_\_\_ days per diem. (Leave blank if you wish Accounting to calculate per diem).

NOTE: If a portion of this trip (was) (will be) for personal business, indicate number of days or shortest time trip could have been taken.

### II. FINAL TRAVEL COSTS

1. Was this trip completed as stated above? Yes \_\_\_ No \_\_\_  
If no, please note changes. If yes, continue.

CLAIM ACCOUNTING

2. Taxi, parking, car rental, rental car gas receipts. Please itemize all costs and attach receipts. Items less than \$10 do not require a receipt but must be itemized.

Per Diem Per Diem

3. Airfare reimbursement (please attach copy of back of airline ticket, or written quote from travel agency or air carrier). DO NOT claim if the ticket was paid by TR. TR # \_\_\_\_\_

4. Mileage: \_\_\_\_\_ miles at 25 cents per mile.

5. Business phone calls (attach itemized hotel bill showing telephone charges - calls to be reimbursed must be initialed).

TOTAL  
Less Travel Advance  
Final Payment

VDR		OFFICE USE		EMR	
TRANSPORTATION REQUESTS					
TR#	Warrant #	Vendor	Amount	Date	
Collocation Code	LC	Account Code	Warrant No.	Amount	
31-92-					
31-92-					
11-92-					
31-92-					
31-92-					

Print Name Of Traveler \_\_\_\_\_ Print Name Of Person Who is Authorizing Trip \_\_\_\_\_

Signature Of Traveler \_\_\_\_\_ Signature of Authorizer \_\_\_\_\_  
(Or Authorizing Memo may be attached)

Warrant Mailing Address \_\_\_\_\_ Date: \_\_\_\_\_

Effect of amendments. — The 1987 amendment designated the existing language as subsections (a) through (c) and added subsections (d) and (e); in subsection (a) in the first sentence substituted "house and senate" for "temporary" and substituted the present second sentence for "Employees assigned to each house are under the supervision of the chief clerk

and senate secretary"; and in subsection (c) substituted "Except as provided in (e) of this section for hourly employees, all employees of the legislature are" for "Permanent and temporary employees of the legislature and its agencies shall be," deleted "permanent employees are subject to" at the beginning of the paragraph (2), and made other minor stylistic changes.

Article 3. Compensation of Legislators.

Section  
100. Salary of legislators  
101. Compensation of legislators

Section  
105. Legislative per diem  
120. Method of payment

**Sec. 24.10.100. Salary of legislators.** The monthly salary for each member of the legislature is equal to Step A, Range 10 of the salary schedule in AS 39.27.011(a) for Juneau. The president of the senate and the speaker of the house of representatives are each entitled to an additional \$500 a year during tenure of office. (§ 2 ch 26 SLA 1961; am § 1 ch 149 SLA 1966; am § 9 ch 193 SLA 1970; am § 6 ch 148 SLA 1976; am § 7 ch 263 SLA 1976; am §§ 14, 28 ch 3 SLA 1980; am § 2 ch 83 SLA 1983; am § 1 ch 87 SLA 1985; am § 1 ch 124 SLA 1986)

Repeal of section. — Section 12, ch. 124, SLA 1986 provides that this section is repealed "on the effective date of recommendations of the State Officer's Compensation Commission under AS 39.23.240(d) as amended by sec. 5 of this Act (ch. 124, SLA 1986), setting the compensation of legislators."

Effect of amendments. — The 1986 amendment deleted "Annual" at the beginning of the catchline, and in the first sentence substituted "monthly" for "annual" and "equal to Step A, Range 10 of the salary schedule in AS 39.27.011(a) for Juneau" for "\$46,800."

**Sec. 24.10.101. Compensation of legislators** [See effective date note]. The State Officers Compensation Commission shall set the compensation of legislators under AS 39.23. (§ 6 ch 124 SLA 1986)

Effective dates. — Section 12, ch. 124, SLA 1986 provides that this section "takes effect on the effective date of recommendations of the State Officer's Com-

mission Commission under AS 39.23.240(d) as amended by sec. 5 of this Act (ch. 124, SLA 1986), setting the compensation of legislators."

**Sec. 24.10.105. Legislative per diem.** (a) A member of the legislature is entitled to receive per diem at the same rate allowed for a state employee under AS 39.20.110 and 39.20.160, including regional variations in the rate where applicable.  
(b) A legislator is entitled to receive per diem at the short-term rate  
(1) during a legislative session if the legislator is not living in the legislator's place of permanent residence during the session; ar.1

(2) while on committee business or other legislative business in a place that is not the legislator's place of permanent residence.

(c) A legislator is entitled to receive per diem at the long-term rate

(1) during a legislative session if the legislator is living in the legislator's place of permanent residence during the session; and

(2) while engaged in committee business or other legislative business at the legislator's place of permanent residence.

(d) In this section

(1) "long-term rate" means the long-term per diem rate for a state employee established in regulations adopted by the commissioner of administration under AS 39.20.160;

(2) "short-term rate" means the short-term per diem rate for a state employee established in regulations adopted by the commissioner of administration under AS 39.20.160. (§ 2 ch 124 SLA 1986)

Repeal of section. — Section 12, ch. 124, SLA 1986 provides that this section is repealed "on the effective date of recommendations of the State Officer's Compensation Commission under AS 39.23.240(d) as amended by sec. 5 of this Act (ch. 124, SLA 1986), setting the compensation of legislators."

**Sec. 24.10.120. Method of payment.** Salaries, per diem, and additional allowances for members of the legislature shall be paid by warrants drawn on vouchers approved by the legislative fiscal officer. The legislative fiscal officer shall, by January 31 of each year, file with the legislature's fiscal office a report of all vouchers approved for payment under this section during the preceding calendar year. The report shall provide, by legislator, the date of each voucher, the amount paid, and the basis for approval for payment. The report is a public record. (§ 4 ch 26 SLA 1961; am § 3 ch 83 SLA 1983; am § 2 ch 124 SLA 1986)

Effect of amendments. — The 1986 amendment inserted ", per diem," in the first sentence and added the last three sentences.

**Article 4. Compensation of Employees.**

- Section 200. House and senate employees
- 210. Employees of legislative agencies

**Sec. 24.10.200. House and senate employees.** (a) During the legislative session, house and senate employees of the legislature are compensated under the salary schedule set out in AS 39.27.011 at the rate authorized by the Joint Rules Committee and upon approval of the house and senate. During the interim, house and senate employees are compensated at a rate approved by the president of the senate or the speaker of the house of representatives, as appropriate,

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Article 3. Compensation of Legislators.

Section  
100. Annual salary of legislators  
110. Additional allowances

Section  
120. Method of payment  
130. Legislative transportation

**Sec. 24.10.100. Annual salary of legislators.** The annual salary for each member of the legislature is \$46,800. The president of the senate and the speaker of the house of representatives are each entitled to an additional \$500 a year during tenure of office. (§ 2 ch 26 SLA 1961; am § 1 ch 149 SLA 1966; am § 9 ch 193 SLA 1970; am § 6 ch 148 SLA 1976; am § 7 ch 263 SLA 1976; am §§ 14, 28 ch 3 SLA 1980; am § 2 ch 83 SLA 1983; am § 1 ch 87 SLA 1985)

Revisor's notes. — Formerly AS 24.15.020. Renumbered in 1985.

Effect of amendments. — The 1983 amendment substituted "Range 22" for "Range 10" in the first sentence.

The 1985 amendment, effective July 16, 1985, in the first sentence substituted "annual" for "monthly" and "\$46,800" for "equal to Step A, Range 22 of the salary schedule in AS 39.27.011(a) for Juneau, Alaska."

Editor's notes. — Chapter 205, SLA 1975, which amended this section, was submitted to the voters by referendum and was rejected, effective October 14, 1976.

Opinions of attorney general. — It is impossible for a newly appointed member of the legislature to receive salary until he is sworn in as a member of the legislature pursuant to AS 24.05.170. 1959 Op. Att'y Gen., No. 20.

Collateral references. — 72 Am. Jur. 2d, States, Territories, and Dependencies, § 56.

81A C.J.S., States, § 46.

Per diem compensation of members and officers of legislature, 1 ALR 286.

Illegal election or appointment as affecting right to salary, 7 ALR 1682.

**Sec. 24.10.110. Additional allowances.** In addition, each member of the legislature is entitled to an annual allowance prescribed in accordance with AS 39.23 for postage, stationery, stenographic services and other expenses. (§ 3 ch 26 SLA 1961; am § 1 ch 8 SLA 1970; am § 10 ch 193 SLA 1970; am § 8 ch 263 SLA 1976)

Revisor's notes. — Formerly AS 24.15.030. Renumbered in 1985. in this section, was repealed by sec. 37, ch. 3, SLA 1980.

Editor's notes. — AS 39.23, referred to

**Sec. 24.10.120. Method of payment.** ~~Salaries and~~ additional allowances for members of the legislature shall be paid by warrants drawn on vouchers approved by the legislative fiscal officer. (§ 4 ch 26 SLA 1961; am § 3 ch 83 SLA 1983)

Revisor's notes. — Formerly AS 24.15.040. Renumbered in 1985. amendment deleted "per diem" following "Salaries" at the beginning of the section.

Effect of amendments. — The 1983

**Sec. 24.10.130. Legislative transportation.** A member of the legislature is entitled to reimbursement for the expense of moving between the member's place of residence and the capital city for the purpose of attending a regular session of the legislature. Reimbursement shall be as provided by regulations covering state employees adopted by the commissioner of administration under AS 39.20.160. (§ 1 ch 36 SLA 1959; am § 4 ch 100 SLA 1963; am § 1 ch 106 SLA 1975; am § 29 ch 3 SLA 1980)

Revisor's notes. — Formerly AS 24.15.050. Renumbered in 1985.

**Article 4. Compensation of Employees.**

**Section**

200. Session employees

210. Employees of legislative agencies

**Sec. 24.10.200. Session employees.** (a) Temporary session employees of the legislature are compensated for each calendar day of the legislative session at the rate authorized by the Joint Rules Committee and upon approval of the house and senate.

(b) The daily compensation provided for in (a) of this section applies for each day of the session the employee is officially on the payroll. Session employees hired or retained on the payroll for pre-session or post-session work at the direction of the legislative council shall be paid on an hourly basis for hours actually worked as determined by dividing the authorized daily compensation for each position by seven, the number seven representing the average working hours each day. During sessions, all employees are employed with the understanding that they will work as many hours as may be required by their supervisors with the approval of the Rules Committees. All temporary employees are on call for duty every day of the session. (§ 1 ch 13 SLA 1961; am § 1 ch 45 SLA 1965; am § 1 ch 22 SLA 1969)

Revisor's notes. — Formerly AS 24.15.060(a) and (b). Renumbered in 1985.

**Sec. 24.10.210. Employees of legislative agencies.** Employees of agencies governed by permanent interim committees of the legislature under AS 24.20 are compensated in accordance with the general state salary schedule, including overtime payment and compensatory time policies, at levels budgeted and approved by the governing committees in accordance with law. The governing committees shall coordinate with each other on position levels and salary-related overtime and compensatory time policies to every extent possible

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